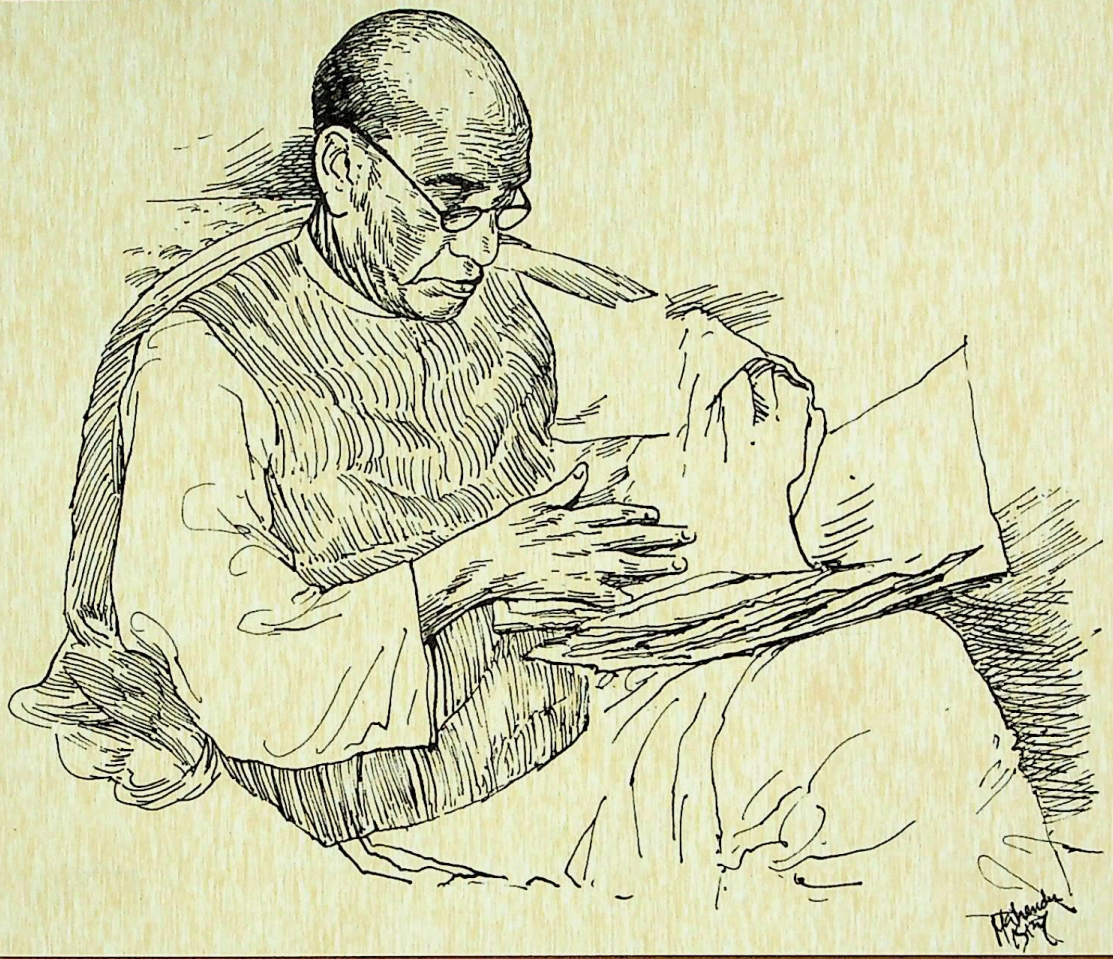
VOLUME 1

• *New Light on Kashmir*



SARDAR PATEL'S CORRESPONDENCE

• 1945 – 1950 •

EDITED BY DURGA DAS

Sardar Patel, Gandhi and Jawaharlal Nehru constituted the Big Three during the thrilling years leading up to India's independence. Gandhi was assassinated within six months of freedom. Sardar Patel passed away some three years later in December 1950 at the age of 75. But in these few years of office, the Sardar consolidated freedom and earned for himself a permanent place in history as the architect of India's unity.

The Sardar was essentially a man of action. He believed in creating history rather than in writing it. He wrote sparingly. Nevertheless, between 1945 and 1950, he wrote and received over 10,000 letters. This correspondence illuminates a critical period of Indian history from the inside. It offers an unrivalled source of historical material. To the politician and the reader, it provides light on the main actors on the Indian stage and their response to the challenges of the times.

This Volume, the first in a series of ten, relates to the accession of Jammu and Kashmir to India. It lifts the curtain on the high drama behind the scenes from the moment Pakistan launched its attack on the State to the time when Sheikh Abdullah first aired his preference for an "independent Kashmir". The letters to the Sardar from Jawaharlal Nehru, Mountbatten, Maharaja Hari Singh and Sheikh Abdullah, and his replies to them also reveal the clash of personalities and conflict of ideas on Jammu and Kashmir, which is still free India's biggest problem of external policy and security.

The State has been the cause of two wars between India and Pakistan. A byproduct of Partition, Pakistan has made Jammu and Kashmir a focal point of its unremitting hostility to India and of its search for a national identity. Further, it has provided the Super Powers with a convenient and continuing excuse for intervention in Indo-Pakistan relations. To Pakistan, Jammu and Kashmir is a symbol of its theocratic basis which stands discredited by the current democratic upsurge in East Pakistan that resulted in the creation of Bangladesh. To India, it is a symbol of the secular, multi-racial and multi-religious concept of nationhood.

A2 → R1

SARDAR PATEL'S CORRESPONDENCE
1945-50

8. Nothing in this Instrument affects the continuance of my sovereignty in and over this State, or, save as provided by or under this Instrument, the exercise of any powers, authority and rights now enjoyed by me as Ruler of this State or the validity of any law at present in force in this State.

9. I hereby declare that I execute this Instrument on behalf of this State and that any reference in this Instrument to me or to the Ruler of the State is to be construed as including a reference to my heirs and successors.

Given under my hand this ....26.10.... day of ~~August~~ OCTOBER, Nineteen hundred and forty seven.

Hari Singh.

Maharaja Hari Singh of Jammu and Kashmir State

I do hereby accept this Instrument of Accession.

Dated this twenty-sixth day of ~~August~~ October, Nineteen hundred and forty seven.

Mountbatten of Burma

(Governor-General of India)

THE SECOND PAGE OF THE INSTRUMENT OF ACCESSION SIGNED BY MAHARAJA HARI SINGH AND ACCEPTED BY LORD MOUNTBATTEN ON 26 OCTOBER 1947. TEXT OF THE INSTRUMENT IS GIVEN AS APPENDIX NINE.

SARDAR PATEL'S CORRESPONDENCE
1945-50

VOLUME I
NEW LIGHT ON KASHMIR

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NAVAJIVAN PUBLISHING HOUSE
AHMEDABAD-14

First Edition, 5,000 Copies, December 1971
Reprint, 1,000 Copies, April 2015
Total: 6,000 Copies

Rupees Four Thousand
For the set of ten volumes

ISBN 978-81-7229-666-7 (SET)

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PUBLISHERS' NOTE

This Volume on Kashmir is the first in a series of 10 Volumes of Correspondence of the late Sardar Patel.

The Correspondence in this series starts from 1946 covering the period of the transfer of power process which began under Lord Wavell's Viceroyalty after the release of the Congress Working Committee Members from their long detention in Ahmednagar fort and extends up to the time of Sardar's demise on the 15th December 1950. This was the period leading towards the dawn of India's Independence leading to its partition and finally in its emergence as a Sovereign Democratic Republic. Among the several hands that played a historic and crucial role in this process, the decisive hand of the Sardar was one.

The historical nature of this Correspondence and its great value for the coming generations are, therefore, apparent. This Correspondence sheds light on the baffling problems that stood in the path of unity and independence of India and the part, the Sardar along with Gandhiji and Jawaharlal played in dealing with the policy of the British and of the Muslim League which was hand in glove with it.

Independence came, but the country stood divided. Independence also brought the problems of unification of India and consolidation of our hard-won freedom. This Correspondence reveals in abundant measure that last and epochal phase of Sardar's life which earned for him an everlasting place in the future annals of India.

We have planned to bring out this series of Correspondence as far as possible chronologically and episode-wise so that the reader can proceed with a full background of the events.

Briefly, this Correspondence will include papers relating to transfer of power negotiations with the Cabinet Mission, pivotal pre-Independence elections to the Central and Provincial Legislatures, the formation of the Interim Government at the Centre without and with the Muslim League, communal riots in Bengal, Punjab, Sindh and N.W.F.P., the partition of India with its boundary disputes and the division of assets and liabilities, framing of the Constitution, functioning of the Home Ministry in relation to law and order in the land and the working of the

States Ministry in bringing about the integration of States with India. These papers also relate to the formation and the functioning of the various Provincial Ministries under the new order of things. They also contain valuable material relating to the reorganization of civil and military services, as also about defence and the external relations.

In fact, through this series of Volumes the Navajivan Trust is bringing to light that part of Sardar's work which has so far remained obscure so that it may receive the careful and sympathetic attention that it deserves.

There are certain strange things current about the Sardar. One view prevalent about him is that he was an iron dictator and ruthless to the core. But the fact was quite contrary. Those who had an opportunity to work with him saw in him a touch of humanity and his generosity towards his colleagues and comrades was almost abounding. He was hard when the interest of the country or a matter of principle were at stake. He was indeed hard with those whom he considered to be inimical to the Nation. No doubt, he was a man of iron who by sheer self-will and strength of spirit steered the nation's ship through perilous waters. Those who had no real loyalty to India and those who looked outside for an economic millennium of the country through class-conflict or bloodshed tried to throw dust on the image of the Sardar. For instance, when he took over as the Deputy Prime Minister and the Home Minister of India there were repeated attacks on him to besmirch him through the Press and platform to paint him as a reactionary and a communalist. As if that was not enough, at a time when he was straining every nerve to restore peace in the country and taking measures as were demanded by the particular situations, Gandhiji was being misinformed by a few about these acts of the Sardar. The Muslim League had achieved Pakistan, though not fully of its dream. But when the Sardar saw that its vestiges in India were still at large and busy with their old game to undermine the Unity of India, Sardar dealt with them with a firm hand. Unity of the country was uppermost in his heart. It was due to this that Sardar restored the sense of security throughout the land so soon after the partition.

On the economic side, the country was then passing through a serious crisis. There was an acute food shortage and scarcity of consumer goods. The resettlement of refugees was also a big economic problem. Sardar's view was that the country must try to construct a national framework of economy. He also felt that they

must harness every avenue of production—private or public to the end of maximum production on the basis of a just deal to all producers of wealth. He was averse to loose talk of nationalization without first building up national character.

Another fiction that went round particularly during this period of his life was that he had a lust for power and by temperament, he was not a democrat. This Correspondence tells us that at least on four occasions he tried to lay down his office in the Government. History will record that what he held dear was the good of his country, and when he wanted to leave office it was also for the good of his country. The ovation he received from all sections of his countrymen after an unanimous vote on the resolution regarding minorities in the Constituent Assembly is only one example of how as a true democrat he worked for such unanimity.

But the Sardar was a disciplinarian to the core. That was the reason why he could so effectively hold and run the institutions under his care and make them serviceable to the country. The Indian National Congress during his time was a disciplined democratic institution, and much of the credit for this goes to the Sardar. His standards of work were high and exemplary. Promptness, clarity and time-sense were its hallmarks. It was, therefore, that he could wield the Governmental power effectively and with promptitude. As an organizer and an administrator he will always remain without any rival. The Sardar will always remain enshrined in the hearts of his countrymen.

The Sardar had the satisfaction that he did his duty to the country and had detachment enough to leave the question of judging him for the future generations and historians of the country. He knew that he was working against a strong opposite current. That had added to his burdens and cares during his last illness. Some of the country's problems would disturb him even in his sleeps.

It was naively said of him that he was no man of vision. But this is far from correct. True, he was no Utopian in his approach. He had a rare practical vision. That vision took stock of the past and the future and his judgements of the time were based on an analysis of both the past and the future in the context of the present. His predictions about the intentions of China have proved cent per cent correct. In the context of the changed frontiers of the country, he wanted to reorientate our defence strategy.

Unfortunately he could not achieve his purpose during the space of life left to him.

This Correspondence sees the light of the day twenty-one years after the death of the Sardar. There were repeated demands on us and some of them felt that we were withholding these papers contrary to nation's interest and also in view of the unjust and uncharitable criticisms on the Sardar. There was some force in this argument. In particular, after the release of Maulana Azad's posthumous publication, *India Wins Freedom* which tried to blame Sardar for the partition and as one who could have saved Gandhiji from crucifixion, friends and admirers of the Sardar felt that it was time to publish this Correspondence.

And yet we waited. The Sardar was too great a personality to be dragged into such controversies of the time born of prejudices. Sardar moulded the history of his times and the future; let history be his judge, we thought.

The country at this distance of time can now look to these events in a more perspective mood. The policies that we have pursued so far have cast their shadows upon us and their effects are being felt by us. The Nation is again passing through very critical times. We feel that this is the time for placing these papers in the hands of his countrymen.

The Sardar wanted to build a strong and united India nurtured by her own traditions and thought. He was of the view that only such a dynamic nation could really contribute to the peace of the world.

Sardar's unique role with regard to integration of States and of his action in Hyderabad and Junagadh are known to the people at large. But not much is known about the part he played in securing Kashmir's accession to India and of his further role in relation to the defence of Kashmir, for restoring law and order in that unhappy valley and for paving a way towards the establishment of popular rule in Kashmir in fulfilment of the terms of Accession.

The reader of this Volume will note that soon after the Cabinet Mission's proposals for the Britain's withdrawal from India, Sardar began to pay his attention to Kashmir. His parleys were in close secret. On the 4th and 5th of July 1946, he had discussions with the Kashmir premier Kak in Bombay. One of these was in Gandhiji's presence. From the later correspondence between them, it becomes clear that Sardar tried to impress upon

Kak the need of liberalizing the administration and of releasing Sheikh Abdullah and the National Conference workers. From August 1946 he was nominated by the Congress Working Committee in association with Maulana Azad to pursue this matter from the point where Nehru had left it on account of his preoccupation with the Cabinet Mission.

The Maharaja was reticent; he would not heed advice from any quarter; due to India's support to the Sheikh at that hour he felt estranged. Sardar had to cut this gordian knot. How cautiously and with what diplomatic delicacy and human touch Sardar handled this matter for over a year and how ultimately he could bring round the Maharaja to his viewpoint will be evident from these pages.

The Sardar never lost sight of the reality that according to the British Plan, after the lapse of paramountcy, the States were free to choose their own course. It was the prudence to win Maharaja to India's side.

In early July 1947, he again wrote to the Maharaja and Kak that by past history and traditions Kashmir's interest lay in joining the Indian Union. He had his special emissaries to meet the Maharaja. He could by now narrow down the gulf between the respective approaches. On Sardar's advice, the Maharaja agreed to replace Kak by Mahajan and then the process of linking Kashmir with India by road, air and wireless began in full speed. The force of events affecting Kashmir were also working towards this end.

Kashmir acceded to India on 26th October 1947. Sheikh Abdullah was a party to it.

Jawaharlal and Sardar both played their decisive parts towards this consummation. The tasks ahead were the defence of Kashmir and of granting Kashmir a popular rule on the lines agreed between India, the Maharaja and Sheikh Abdullah.

But Abdullah as the head of Emergency Administration was now a different man. He would neither tolerate the Maharaja as the constitutional head of the Interim Government nor his Dewan Mahajan as a link between the two in the emerging set-up. Both of them, therefore, retired from the scene at Sardar's instance. The Government of India could not fulfil its word to the Maharaja due to intransigence of Sheikh Abdullah. Abdullah's further role is well known to us.

For Sardar, Kashmir was a subject for the States Ministry. Nehru thought that international issues were involved in it. That caused the difference between the approaches of the two. The Sardar, therefore, had practically little hand in the affairs of Kashmir after December '47.

While releasing these Volumes, we owe a word of gratitude to Sardar's daughter Kumari Maniben Patel. After Sardar's death, she preserved these papers with great care and readily entrusted them to us for publication. Not only that, she had a hand in the meticulous scrutiny and compilation of these papers. Only by her efforts the authenticity of these records has been vouchsafed and the Navajivan Trust has been able to publish them with a sense of redeeming a part of its debt to the Sardar.

4-12-1971

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OUTLINE OF I-X VOLUMES

Main Topics

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1945-46

Elections

Working of Constituent Assembly and its parliamentary aspects
Interim Government and its working
Negotiations with Indian States—their place in future set-up
Bretton Woods Conference and other international conferences
Indian National Army
Provincial politics—Assam, Bengal, Bihar, Bombay, Central Provinces, Madras, Orissa, North-West Frontier Province, Sind and United Provinces

1947

National Issues

Working of Central Government
(i) Interim Union Government
(a) Before 15 August 1947
(b) After 15 August 1947
(ii) External
(a) Ambassadorial appointments
(b) Indo-Nepal relations
(c) United Nations Organisation
Transfer of power
Partition
Communal flare-up
Refugee problem

States Politics

Hyderabad
Junagadh
Indian States
(a) Accession
(b) Integration
(c) Democratisation

Indian Provinces

1948

Indian States and their problems
Hyderabad State
Indian Government—its working and problems
Gandhi assassination
Refugee problem—rehabilitation
Provincial politics

1949

Indian States and their problems
Hyderabad
Provincial politics
Central Government and its working and problems
Gandhi murder, Trial of accused

1950

Indian Government and its working
Internal—Inter-ministerial correspondence
External—Commonwealth and India
China's aggression in Tibet
Constitutional—Constitution-making
New Head of State under Constitution
Role of Governor

States Politics
Indian States and their problems
Hyderabad issue
Provincial politics

HIGHLIGHTS—VOLUMES II-X

Vol. II: Elections to Central & Provincial Legislatures—Direction of Congress Campaign

Soon after the Congress leaders were released from detention in 1944, negotiations opened with the representatives of the British Raj in New Delhi and the leaders of other Indian political parties, notably the Muslim League, on new constitutional arrangements to suit the change in the political climate brought about by World War II and to satisfy the aspirations of the Indian people for freedom.

Patel's guiding hand was evident in these negotiations as well as in the direction and management of the Congress campaign for the elections to the Central and Provincial legislatures under the Government of India Act of 1935. These elections, based on communal electorates with a restricted franchise, were an acid test of the Congress claim to represent the Indian people and to be the recipient of power on their behalf when the British relinquished their authority. The Muslim League, through Mohammed Ali Jinnah, contested this claim, asserting that it was the sole champion of the Muslim "nation" which aspired to a separate existence on the advent of independence.

Patel's role as chief of staff of the Congress High Command, indefatigably marshalling manpower and finances and selection of suitable candidates for the big electoral battle, comes out strikingly in the correspondence in this volume.

Vol. III: Guidance to Ministries—Constituent Assembly Problems—Interim Government Deadlock—Reforms in Indian States

Elections to the Central and Provincial Assemblies were followed by the formation of a board consisting of Maulana Azad, Sardar Patel and Dr Rajendra Prasad to organise elections to the Constituent Assembly as proposed under the Cabinet Mission plan, aiding and guiding Provincial Congress Ministries, including the Coalition Ministry in the Punjab, and supervising the working of the Congress party in the Central Assembly. These tasks fell primarily on the shoulders of Sardar Patel, who functioned as a one-man High Command.

The political situation was complicated by several factors. The Governor of Sind, Sir Francis Mudie, manoeuvred to put in the Muslim League in power. Direct Action Day, observed by the Muslim League on 16 August 1946, resulted in unprecedented communal carnage in Calcutta. There were riots in Bihar. The League refused to agree to the Cabinet Mission plan. Mahatma Gandhi's meetings with Lord Wavell failed to straighten matters. Patel attributed the deadlock over the formation of Interim Coalition Government to bungling by the Viceroy.

An Interim Government, headed by Nehru and consisting of Congress party nominees, was formed on 2 September 1946. It was enlarged into a Congress-League coalition in the middle of October 1946. Soon after, Patel described the coalition, which was functioning without joint responsibility, as an arena of party politics and intrigue. He repeatedly drew Wavell's attention to the disruptionist role of the League members of the government. He also tried to persuade him to bring Bengal under virtual martial law to restore peace and tranquillity. Problems of Indian National Army personnel, the Royal Indian Navy uprising, creation of the International Monetary Fund, shipping, trade, and the Secretary of States' Services were firmly and constructively handled by the Sardar.

The movement for reform in the Indian states sponsored by praja mandals received an impetus from political developments in British India. The meagre hope of success is revealed in a note Nehru forwarded to the Sardar of his talks with the Nawab of Bhopal in early April 1946. The Sardar, however, guided the movements into the right channel. The correspondence reveals the country in the throes of revolutionary change.

Vol. IV: Transfer of Power—Communal Holocaust and Partition—Administration and Stability

The political deadlock dragged on from 1946 to 1947. All efforts of the Congress to avert partition failed as the League, instigated by sympathisers in the top echelons of the British bureaucracy in India and Britain, stuck out for Pakistan. Finally, the Congress capitulated under heavy pressure and the twin states of secular, democratic India and Islamic, autocratic Pakistan were born, with Governor-General Mountbatten playing the role of midwife.

Partition and transfer of power were accompanied by the tragedy and turmoil of wholesale uprooting of populations, mass

murder and looting and other acts of barbarity. The entire socio-economic structure of the affected provinces seemed on the verge of collapse. How the problem of restoring peace and sanity and resettling the uprooted and dispossessed victims of the trauma of partition was handled, primarily by Patel, with courage and firmness, is revealed in the correspondence.

While the Attlee Government in London and Mountbatten in New Delhi appeared to play fair by the Congress and the Indian people, British administrators continued to play politics at the lower levels and were instrumental in pushing Pakistan into a military adventure in Kashmir as part of their game to weaken India economically and politically. The Muslim League, which had grabbed power in Pakistan, eagerly collaborated in this game.

Vol. V: Control over Congress Ministries—Indian States' Accession

Creating conditions for stable government and maintaining law and order in the old provinces of British India after the disruption of partition was a major problem which was Patel's prime responsibility as Minister of Home Affairs. Relations between governors and chief ministers had to be redefined in the changed political context, and the Sardar was often called upon to mediate in disputes resulting from conflicting interpretations of rules and practices by those in authority.

Problems also arose from the emergence of factionalism in the provincial Congress organisations, and the Sardar had to exert his authority to prevent them from cracking up in the heat of local power struggles. The most notable instance was in Madras, where two rival factions were engaged in a bitter struggle which resulted in the ouster of Chief Minister T. Prakasam.

Rehabilitation of Hindu and Sikh refugees from West Pakistan was the key problem encountered in East Punjab, together with the intransigence of Master Tara Singh and the Akali Dal. In Assam, large-scale infiltration of Muslims created difficulties for the provincial administration in the wake of the loss of Sylhet district to Pakistan. The inclusion of the tribal hill tracts in the province also presented difficulties as the hillsmen, ethnically and culturally different from the dwellers in the Brahmaputra Valley, wanted a separate identity. In the interests of national security in a sensitive region, they were brought together under one administration.

Bringing the conglomeration of Princely States within the ambit of the new integrated nation-state the Congress leaders envisaged after freedom also presented many problems, the solution of which rested on Patel's shoulders as Minister of States.

Vol. VI: Patel-Nehru Differences—Assassination of Gandhi—Services Reorganised—Refugee Rehabilitation

Sardar Patel and Jawaharlal Nehru came to the brink of relinquishing office in each other's favour over differences, first, arising out of communal disturbances in Ajmere-Marwara and later snowballing into serious conflict over the definition of the functions of the Prime Minister in relation to his colleagues and the preparation of memorandums by both for presentation to Gandhi for his adjudication. The assassination of Gandhi at this crucial period acted, however, as a cementing bond between them. The Rashtriya Swayamsewak Sangh and similar organisations were banned.

C. Rajagopalachari was brought to the Centre as Governor-General in succession to Mountbatten. Restoring popular confidence after the Gandhi murder and curbing the extremist elements responsible for it without at the same time causing civil strife was the responsibility of Patel. The correspondence between Nehru and Patel on this subject reveals the different styles with which they functioned. Throughout the year, the influx of fresh waves of refugees and their rehabilitation continued to be a major preoccupation of the government, and it was Patel's lot to co-ordinate these tasks.

The difficulties encountered in providing cohesive and effective administrations in the provinces called for firm directive from Patel. In the United Provinces, the major conflict was between the veteran Congress leader Purushottamdas Tandon and Premier Pant and their political adversary Rafi Ahmed Kidwai. This was represented in the Press as a struggle between supporters of Patel and Nehru and a reflection of a power tussle at a higher level. Sharp differences arose in Assam between Governor Akbar Hydari and Chief Minister Gopinath Bardoloi, while Communist activities became a cause of worry in this province and in neighbouring West Bengal.

Vol. VII: Integrating Indian States—Police Action in Hyderabad

The year 1948 was significant for the introduction of responsible government in many Princely States, and also for the attempts

of some princes to block this process. Integration talks were launched and new groupings of states came into existence with popular ministers to run them. Not long after their induction, Patel was called upon to deal with the squabbles within these governments as well as between them and the princely heads of the new unions.

The papers relating to the States of Hyderabad and Junagadh have been brought together, for their case stands apart from that of the other states which voluntarily merged in the Indian Union as a result of the patriotic impulse of their rulers, who read the signs of the times. While the ruler of Junagadh fled to Pakistan, the Nizam dreamt of carving out an independent state in the belly of the Indian Union.

With this end in view, the Nizam's agents went on an arms buying spree in Europe and organised bands of thugs to terrorise the predominantly Hindu population of his State. Secret negotiations were also started with the British for the addition of Bastar State to his domain and the retrocession of Berar, which had been incorporated in the Central Provinces. Advances were made to the Portuguese Government about providing access to Hyderabad through Goa to the Arabian Sea.

Here, as in other instances of princely opposition to joining India, the undercover manoeuvrings of British officials and politicians, keen on seeing India weak and divided after independence, played an important part in stiffening the resistance of the Nizam and the feudal clique which supported him. After vain attempts to persuade the Nizam to agree peaceably to joining the Indian Union, as the vast majority of his subjects demanded, the Indian Government organised a "police action" to effect the merger. The story ends with the Nizam's surrender and expression of complete confidence in Sardar Patel's political sagacity.

Vol. VIII: Foreign Policy in Evolution—Constitution-making—Political and Administrative Problems

The future of India's relations with the Commonwealth of Nations, ties with Nepal, recognition of Communist China and disputes with Pakistan over canal waters, ill-treatment of minorities in the country and evacuee property were important matters of foreign policy in which the Sardar made a significant contribution. The main task the Sardar undertook was to merge the Unions of Princely States with the adjoining states of the Indian Union, thus creating a bigger territorial unit than existed under the British or any former Raj.

Internally, differences arose over whether the first President of the Indian Republic should be CR or Dr Rajendra Prasad. Nehru and Patel took different attitudes to mass agitation by the Akalis in East Punjab. The Hindu Code Bill was another issue on which eminent Congress leaders differed from the government's view.

Sentence of death was passed on 12 February on Narayan Gopal Godse, the principal accused in the Gandhi murder case, and Patel overruled pleas for clemency. As Minister of Information and Broadcasting, he laid down a policy on the use of Hindi for the guidance of All India Radio.

Vol. IX: Political Controversies—Refugees from East Bengal—Territorial Integration of Princely States

Factionalism continued to cause administrative snarls in the states and provinces and to this were added charges of corruption and abuse of power against those in authority. The Sardar was deeply involved in trying to keep peace among the warring factions and weeding out the corrupt. A controversy erupted in West Bengal over the relative status of Bengali and Hindi for official purposes, and a movement for Greater Bengal, including East Pakistan, raised its head in the province.

Friction within the Madras Ministry was sharpened by popular demands for a separate Andhra Pradesh. Factions within the Punjab Congress came to be identified with Nehru and Patel. In Hyderabad, the Communists as well as communalists became active and caused anxiety to the State administration. The Communist-supported uprising of the peasants of Telengana, who employed force to dispossess the landlords and divide up their property, led to military operations against them.

Communal riots broke out in West Bengal as more refugees streamed in from East Pakistan with stories of atrocities perpetrated on the Hindu minority there. The Congress party split in Andhra Pradesh at the same time as the Communists swung into action in the region. Master Tara Singh strove hard to stir up communal feeling in the Punjab.

Nehru visited the United States. Patel, the Deputy Prime Minister, filled in for him. His confidential fortnightly letter of over 10,000 words to chief ministers of states elaborating his political, economic and administrative philosophy is in the nature of a will and testament.

Vol. X: Acute Power Struggle—Triumph of Mutual Accommodation—Warning Against China

The highlight of foreign affairs was the Chinese invasion of Tibet, an event which raised the problem of security along the Himalayan border. In letters to Nehru and CR, the Sardar underscored the potential threat to India's sovereignty from this source. Pakistan's persecution of minorities, incursions into Indian territory and general hostility were other matters of concern to New Delhi. Efforts were even made to poison the good relations between India and Nepal. After the election of Rajendra Prasad as President, Nehru announced his intention of resigning the office of Prime Minister and devote himself to party activities. The Central Cabinet was reconstituted and CR entered it. There were several exchanges of correspondence between Nehru and Patel on matters of principle, including a definition of the powers of a governor. Finance Minister John Matthai resigned on an issue of principle, and this was followed by a bitter war of words.

In the Congress presidential elections, Nehru and Patel ranged on different sides. Nehru opposed Purushottamdas Tandon's nomination, and when Tandon was elected Nehru refused to join the Congress Working Committee. The Sardar's health began to fail.

CHRONOLOGY OF PRINCIPAL EVENTS IN SARDAR'S LIFE

1875 Born on 31 October at Nadiad, Kaira district, Gujarat. Fourth son of Jhaverbhai Patel, a farmer of Karamsad in the same district, and Ladbai. Belonged to agricultural caste known as Leuva Patidar. Schooling up to English third standard at Karamsad.

1891 English 4th and 5th standards at Petlad, a small town seven miles from Karamsad. Lived in a rented room with four or five other boys, with seven days' ration. Walked from Karamsad to Petlad every week.

1893 At the age of 18 married Jhaverba of Gana, a small village three miles from Karamsad.

1897 Matriculated from a high school in Nadiad, Kaira district, at 22.

1900 Passed District Pleaders' Examination. Studied with books borrowed from friends. Set up independent practice at Godhra, headquarters of Panchmahals district, Gujarat. Contracted bubonic plague from a court nazir whom he nursed when an epidemic broke out in Godhra.

1902 Shifted practice to Borsad, where he quickly made a name as a criminal lawyer.

1905 Saved enough money to go to England to become a barrister, but postponed departure in deference to the wishes of his elder brother Vithalbhai, who came to know about his plan and wished to go first. Looked after his brother's wife while he was away.

1909 Wife Jhaverba died after an operation in Bombay. Received a telegram containing news of her death while arguing a murder case in Borsad, but continued case until hearing was completed. In spite of pressure from friends and relations, refused to marry again.

1910 Left for England. Admitted to Middle Temple.

1911 Passed preliminary examination with honours, standing first in Equity. Fell ill with a tropical disease unknown in England. Doctors wanted to amputate his leg, but a German

doctor intervened and cured him through an operation which he underwent without chloroform.

1912 Took final examination after sixth term instead of usual 12. Stood first in first class, winning a prize of £50 and exemption from two terms. Sailed for India the day after convocation.

1913 Reached Bombay on 13 February. Refused post in Judicial Department as a lecturer in Government Law School, Bombay, and left for Ahmedabad, where he established himself as foremost criminal lawyer.

1915 Member, Gujarat Sabha, which was converted into Gujarat Provincial Congress Committee in 1919.

1917 Elected member of Ahmedabad Municipal Board. Election challenged and set aside. Stood in a by-election and was returned unopposed. Mahatma Gandhi, president of the first Gujarat Provincial Conference, appointed an executive committee with Patel as secretary. Impressed by Gandhi's leadership of the agitation against the British indigo planters of Champaran, Bihar.

Conducted agitation against begar (forced labour for Government purposes). Led agitation against the appointment of a British member of the Indian Civil Service as Municipal Commissioner and secured his removal.

As Chairman of the Sanitary Committee of Ahmedabad, stayed on in city when most of the citizens went away during an epidemic of plague. Took a leading role in helping sufferers and enforcing precautionary measures.

1918 Organised famine relief works in Ahmedabad district.

Represented textile mill labour with Gandhi and Shankarlal Banker before a tribunal appointed to hear a dispute between labour and millowners.

Put up a temporary hospital in city with grant from Municipal Board to Gujarat Sabha to combat severe influenza epidemic. Organised no-tax campaign in Kaira district along with Gandhi. During campaign Gandhi said he was testing Patel, adding later that Patel had turned out to be "pure gold." Chairman, Sanitary Committee and Public Works Committee of Ahmedabad Municipality.

Helped Gandhi in recruitment drive for British Indian Army. They used to walk together for miles and cooked their own food.

1919 Chairman, Managing Committee, Ahmedabad Municipal Board.

Organised movement against Rowlatt Bills designed to strangle movement for self-rule. Led big demonstration march in Ahmedabad on 6 April and addressed public meeting against bills. Sold publicly Gandhi's proscribed books, Hind Swaraj and Sarvodaya, and published Satyagraha Patrika in Gujarati without official declaration or permission. Government took no action.

Helped local authorities restore peace and order after large-scale disturbances leading to martial law in Ahmedabad after arrest of Gandhi.

Served with a show-cause notice for cancellation of his sanad (permit to practice law) for participating in a public meeting advocating satyagraha. Case ended with a warning. Refused to pay fine imposed by Government as penalty for riots in city. Sofa attached and auctioned for Rs. 100.

1920 Organised campaign of Congress Party in elections to Ahmedabad Municipal Board. Congress captured almost all elected seats. Discarded Western dress and adopted khadi dhoti, kurta and chappals. Burnt all his foreign clothes. Way of life also changed to traditional pattern in Gujarat.

Organised a conference of political workers of Gujarat in Ahmedabad and persuaded it to adopt a resolution supporting Gandhi's civil disobedience movement.

In response to Gandhi's call at Nagpur session of Congress to collect money for Tilak Swaraj Fund, promised to raise Rs. 1 million and enrol 300,000 party members in Gujarat. Fulfilled these promises within three months.

1921 Elected chairman of Reception Committee of 36th session of Congress held at Ahmedabad. For first time, delegates sat on floor and the session set new pattern in simplicity, austerity and businesslike proceedings.

Built a hospital and maternity home on 21 acres of land along Sabarmati river at site of session. The fountain built at that time is still there.

1922 Government of Bombay suspended Ahmedabad Municipality after a sharp tussle over supervision of municipal

schools. Organised schools under People's Primary Education Board with public contributions. Municipality suspended. Collected Rs. 1 million for Gujarat Vidyapith in a tour which took him up to Rangoon.

1923 All-India Congress Committee deputed him to conduct satyagraha at Nagpur in connection with British District Commissioner's ban on flying national flag in cantonment area.

Resisted Bombay Government's levy of punitive tax on people of Borsad who were charged with harbouring criminals. Tax withdrawn. Called Suba of Borsad.

1924 Ahmedabad Municipality reinstated. Fresh elections gave Congress Party a decisive majority in enlarged Municipal Council. Elected President of municipality.

1924-1927 Passed a resolution giving notice to Ahmedabad Cantonment to pay water tax from 1920 at rate of eight annas. If tax was not paid, threatened to cut off water connection. Tax paid under protest.

Introduced khadi uniform in municipality. Municipal work was conducted in Gujarati after he became President. His scheme for supplying pure water passed.

Completed drainage scheme during term as President. Collected all arrears of municipal tax not paid by high officials, some well-to-do people and municipal councillors by cutting water connections and attaching properties.

1927 Unprecedented rainfall caused great damage and hardship throughout Gujarat. Saved Ahmedabad from floods by getting culverts breached. Organised relief measures for flood sufferers with public contributions. Promoted grow-more food and fodder campaigns and opened shops to sell high-quality gram, cereal and cotton seed for sowing at low cost to farmers. Received more than Rs. 10 million from Government earmarked for famine relief. A new party emerged in Ahmedabad Municipality. Clashed with it over appointment of chief officer.

1928 Resigned presidency. Led peasant agitation in Bardoli taluka, Surat district, against increase in land revenue rates. Bombay Government punished farmers for non-payment by confiscating and auctioning land, crops and other property.

As agitation continued unabated, Government agreed to restore all unsold confiscated land, release satyagrahis, reinstate dismissed village officers and reduce land tax. Named Sardar of Bardoli and thereafter known as Sardar Patel. Presided over first local self-government conference in Surat.

1929 Presided over Maharashtra Political Conference in Poona. Toured Maharashtra, mobilising public opinion against enhanced land taxes and untouchability.

Presided over Kathiawar Political Conference at Morvi. Toured Madras Presidency at request of C. Rajagopalachari. Presided over Tamil Nadu Political Conference at Vedaranyam. Reiterated support for Congress resolution on dominion status at conference against supporters of complete independence. Also visited Karnatak and Bihar.

At Calcutta session of Congress advocated support to all-party committee headed by Motilal Nehru which recommended acceptance of dominion status as India's political goal, provided demand was granted within two years. Motilal Nehru, Congress President, moved a resolution from chair congratulating Patel and peasants of Bardoli on victory over British bureaucracy. Nominated in September as a candidate for presidency of Congress session at Lahore but withdrew in favour of Jawaharlal Nehru.

1930 Arrested on 7 March while addressing a public meeting at Ras village, near Borsad, a few days after Gandhi announced march to Dandi near Surat, to break salt law. Preceded marchers to arrange accommodation and food on way. Sentenced to three months' imprisonment and a fine of Rs. 500 or three weeks' additional imprisonment. Refused to pay fine and lodged in Sabarmati jail, Ahmedabad.

Went on hunger-strike in jail, requesting C class diet instead of A class. Request granted. Released on 26 June.

Arrested when leading a procession in Bombay on 31 July and sentenced to three months' jail. Taken to Yeravda jail near Poona. On release, made a speech at Khadi Bhandar, for which he was arrested. Sentenced to nine months' imprisonment in the second week of December.

1931 Released from jail in March under Gandhi-Irwin Pact. Presided over 46th Congress session at Karachi in las

week of March. Helped Gandhi in his discussions with Viceroy (Lord Irwin) in Simla in last week of August on Congress participation in First Round Table Conference in London.

1932 Arrested at 4 a.m. on 4 January and taken by car to Yeravda and imprisoned with Gandhi there for 16 months. Mother died at Karamsad.

1933 Transferred to Nasik jail on 1 August. Elder brother Vithalbhai died in Switzerland on 22 October. Rejected terms on which Government offered to release him on parole for two days to perform funeral rites.

1934 Developed serious nasal trouble in jail and released on 14 July. Issued statement accepting Gandhi's decision to leave Congress on 24 September. Congress decided at its annual session in Bombay in October to contest elections to Central Legislative Assembly. Undertook tour of many parts of country campaigning for party candidates. British Government allowed Jinnah to go to North-West Frontier. Sardar also sought and obtained permission to do so. But after going there was not allowed to visit Bannu district.

1935 Organised relief work in Borsad taluka where plague had broken out in four successive summers. Organised relief for victims of Quetta earthquake from Bombay, where he was laid low with jaundice.

Sir Roger Lumley, Governor of Bombay, invited Sardar to a meeting and offered him premiership of Bombay Presidency, but added that land confiscated from farmers in Bardoli and sold would not be returned to owners. Sardar replied: "I am not going to be premier and the land will be returned to the peasants."

President of Third Local Self-Government Conference at Broach.

1936 Collected Rs. 49,000 for Harijan Fund in two days in February. Appointed Chairman of Congress Parliamentary Sub-Committee to select party candidates for provincial elections under Government of India Act 1935. Guided Congress Ministries after acceptance of office.

1937 Involved in a controversy with K. F. Nariman, President of Bombay Pradesh Congress Committee, over selection of premier for Bombay Presidency.

1938 Involved in July in controversy on a constitutional issue with Dr N. B. Khare, Prime Minister of Central Provinces. Khare accused Sardar of conspiring to oust him from office and resigned from Government and Congress. Efforts to impose central party discipline on provincial leaders earned him title Dictator of India. Presided over Kathiawar Rajkiya Parishad. Narrowly escaped attempt to kill him.

Visit to Mysore city resulted in Government of Mysore State agreeing to flying of Congress flag in its territory.

Flew to Rajkot on 24 December for talks with Thakore Saheb of Rajkot, who signed agreement on release of prisoners in Rajkot State and offered Sardar a portfolio in his Council of Ministers.

1939 Subhas Chandra Bose defied Gandhi, Patel and other members of Working Committee and got elected President of Congress at Haripura session because Maulana Azad withdrew at last moment.

Thakore Saheb of Rajkot broke agreement and satyagraha was renewed in State early in the year.

Bose's resolution for mass civil disobedience defeated at Tripura session in February. Bose described Sardar as "shining light of the ruling clique" and resigned presidency.

Working Committee appointed a war sub-committee of three, including Vallabhbhai, in August. Warned provincial Congress organisations not to force a political crisis by hasty action.

1940 Replied in a public speech at Ahmedabad in October to Sir Samuel Hoare, Secretary of State for the Dominions, who had asked in House of Commons whether India was fit for independence. Sardar said: "If you lose the war, you will have lost everything, and even if you win, you will have suffered so heavily that your victory will be an empty one. At the end of the war, I declare no nation will remain subject to another. A great revolution is going to sweep the people everywhere. We shall see a new world emerge out of the fiery ordeal of this war." Arrested under Defence of India Act on 18 November for participating in satyagraha launched by Gandhi to press Britain for firm commitment on Indian independence. Imprisoned in Sabarmati jail and later transferred to Yeravda.

1941 Released on 20 August from detention on ground of health. Condemned communal killing in Ahmedabad at first public meeting after release. Treated for acute intestinal disorder.

1942 Participated in talks with Sir Stafford Cripps in New Delhi. Favoured acceptance of constitutional proposals put forward by Cripps provided they were modified to suit political conditions in India.

1942 August Supported Quit India resolution at AICC meeting in Bombay on 8 August. Arrested at 4 a.m. on 9 August under Defence of India Act. Detained without trial at Ahmednagar fort with other Working Committee members.

1945 Transferred to Yeravda. Recurrence of intestinal trouble. Released on 15 June.

Went to Simla during political talks between Viceroy (Lord Wavell) and Indian leaders.

Entrusted with organising Congress election campaign for Central and provincial legislatures.

Secured G. V. Mavalankar's election as Speaker of the Central Legislative Assembly in December.

1946 Issued call to Ministers in Congress Governments to work for eradication of untouchability.

Disapproved Dr B. R. Ambedkar's proposal for mass conversion of members of Scheduled Castes to other religions. If they changed religion, they could not claim benefits as Harijans.

Persuaded revolting men of Royal Indian Navy to call off agitation in February as "the dawn of freedom is breaking and the sun will rise in a few months."

If political issues between Britain and India could not be solved satisfactorily, India would withdraw from Bretton Woods Conference, Sardar said in March. Condemned suggestion that sterling balances should be scaled down. "Sterling credit is the economic foundation of India and this country's future progress largely depends upon it."

Opposed Jinnah's demand for Pakistan, saying: "It is a monstrous thing that a man can claim a different nationality because he changes his religion." Hindus and Muslims were all basically Indians and thought as such. Congress

could not accept the theory of Pakistan, happen what may. The two-nation theory would ruin all.

Declared in an exclusive interview with the political correspondent of Reuter that India would be prepared to refer major political issues to an international body for arbitration. Britain could not stay in India indefinitely. "Hand over power either to the Congress or to the Muslim League and go out of India," he said.

Advised withdrawal of trial of leaders of Indian National Army in Delhi.

Pleaded for fuller freedom to legislatures in Princely States and to Praja Mandals to select representatives to Constituent Assembly.

Appealed to Sikhs not to boycott Constituent Assembly even though Cabinet Mission had not done them justice. Rejected possibility of a coalition between Muslim League and Congress.

Joined Viceroy's Executive Council as Home Member on 3 September. Announced in Central Legislative Assembly that foreigners would be appointed to senior administrative posts only in exceptional cases.

Accepted the principle of state control of industry, told Central Legislative Assembly that it was not desirable to go fast on nationalisation.

Spurned Jinnah's proposal for an exchange of population. Urged Muslim League to join Constituent Assembly and abandon its Pakistan policy.

1947 Talks with British Government representatives on transfer of control of services from Secretary of State to Interim Government and compensation for British officials completed.

Statement on All India Radio's language policy announcing changes in existing practice.

Rejoinder to Jinnah: "Let an impartial tribunal decide the Pakistan issue, for Pakistan could be attained only on the basis of justice and understanding and not by force of arms."

Appealed to Muslim League to accept invitation to join talks and agree to arbitration by a "free power" in case of disagreement between League and Congress.

Told Princes to play their part in shaping India's destiny. Warned North-West Frontier Province Ministry headed by Khan Abdul Qayum Khan that Centre would not submit to rowdyism and threats.

Interim Government's proposals on compensation to British officials accepted by Attlee Government. Demanded dominion status for India "at once" so that a strong Centre could deal firmly with threats to law and order. Statement issued on outbreak of riots in Dera Ismail Khan and elsewhere in NWFP.

Rulers of Dholpur, Nabha and Nawanagar told Sardar in New Delhi of their decision to join Constituent Assembly. States Department created and entrusted to Sardar. Described Jinnah's demand for a land corridor linking West Pakistan with the eastern wing as "fantastic nonsense." Assured Princes that "internal autonomy" of their states would be respected.

Patel Committee's report on minorities submitted to Constituent Assembly. Report recommended joint electorates, representation in Ministries at Centre and in states and other safeguards.

Insisted on stationing a brigade of Indian Army in Kathiawar to protect states acceding to Indian Union from apprehended attack from Junagadh.

Persuaded Government to overrule Mountbatten and entrust Indian Army with operations against Nawab of Junagadh.

Pledged Government protection to Muslims staying in India. Said forced conversions and marriages would not be recognised.

Announced full agreement between India and Pakistan on all outstanding issues relating to partition, including division of armed forces. Said Kashmir had not been referred to Inter-Dominion Partition Committee. Announced in Constituent Assembly financial settlement between India and Pakistan under which India would transfer Rs. 750 million to Pakistan as a "great gesture of goodwill."

Addressed Orissa rulers in Cuttack. They agreed to merge their territories with Orissa province.

Announced at public meeting in Jammu that "everything possible" would be done to save Kashmir, "and this assurance I am conveying on behalf of the Government of India." Praised Sheikh Abdullah's role in ensuring Kashmir's accession to India.

1948 Appealed to labour leaders of West Bengal to support popular Government. Warned Pakistan that if it wanted further division of the country, "let us do it in the open field." Asked Indian Muslims: "In the recent all-India Muslim Conference, why did you not open your mouths on the Kashmir issue? Why did you not condemn the action of Pakistan? These things create doubts in the minds of the people."

Declared in a statement: "Unless the Kashmir issue is settled, the financial pact between India and Pakistan cannot be implemented. . . . Let there be no mistake that Kashmir belongs to India."

Declared at Patna that abolition of zamindari without compensation would be nothing short of robbery.
Appealed to Nizam of Hyderabad to respect his people's wishes and accede to India.

Inaugurating Rajasthan Union, said that only by coming together could smaller states save themselves from anarchy and confusion.

In message on formation of Vindhya Pradesh, said: "Unification and democratisation would be purposeless if they did not bring about improvement in the lot of the people."
Warned British politicians and Press to halt propaganda against India. Blamed Churchill for India's partition and attendant disasters.

Rejected compromise on Hyderabad. Accession and responsible government were India's minimum demands.
Said in an eve of independence speech: "In free India there is no room for divided loyalties."

Informed Parliament that "action would be taken against Hyderabad for breach of the standstill agreement."

Congratulated Defence Services on their remarkable success in the "police action" in Hyderabad.

Indicted UN for mishandling Kashmir issue. "We accepted the UN Commission's cease-fire proposals, but the other

party did not. We could perform the Kashmir operation without danger if only we could free ourselves from our commitments."

Referring to Pakistan and its anti-Indian propaganda, said: "I wonder whether they are really afraid of us, or is this outburst merely an attempt to preserve their unity?"

Inaugurated Advisory Board of Central India States. Praised Nehru's leadership on his 60th birthday, saying: "Pandit Nehru has led the country through the crisis and has by his great leadership enhanced the prestige of India. We want our leader to remain at the helm for many years."

1949 Announced merger of five Princely States of Rajputana—Bikaner, Jaipur, Jaisalmer, Jodhpur and Udaipur—to form Rajasthan Union and hailed it as a momentous development.

Advised Maharaja of Baroda to merge his State with Bombay.

Challenged contention of Nawab of Bhopal that paramountcy had lapsed with British withdrawal from India. Warned Communists that if they continued to oppose Government and create danger they would be dealt with severely.

Opposed demand for linguistic states because consolidation of country must precede revision of boundaries.

Appealed to members of Rashtriya Swayam Sevak Sangh to join Congress.

Advised South Indians to learn Hindi.

Appealed for public contributions to rebuild Somnath temple in Junagadh.

Announced in Hyderabad that responsible government would be introduced in former Nizam's State only after normalcy was restored.

Warned Master Tara Singh in a speech at Amritsar that he was following suicidal policies.

Advised RSS to concentrate on regenerating Hindu society through constitutional and constructive methods.

Inaugurated Rajasthan State in Jaipur.

Announced take-over of administration of Bhopal State by Centre and congratulated Nawab on his understanding

and self-sacrifice. Declared that welfare of Muslims would be prime concern of State's new administration.

At a public meeting at Indore, warned Congress politicians in newly formed states unions that he would dissolve ministries and administer unions centrally if they did not stop their petty squabbles and tussles for power.

Told All-India Depressed Classes Leagues Confederation: "India's independence will not be completed until every Harijan claims, and actually gets, equality of status."

Moving consideration of report of Advisory Committee on Minorities in Constituent Assembly, said: "Minority concessions, though not good in themselves, have to be treated as purely temporary. Minorities should voluntarily agree to abolition of reservations for them in services and legislatures."

Supported grant of privy purses to princes in return for accession to Indian Union.

1950 Warned Pakistan against pushing Hindus out of eastern wing.

Defended in Parliament use of preventive detention to fight terrorism and violence.

Gave details of democratic set-up for Delhi Union Territory.

Appealed at a public meeting in Calcutta for fair trial to Nehru-Liaquat Pact on minorities.

Told public meeting at Indore that Congress "is fully behind Nehru." Called for revolution in system of education in address to Gujarat Vidyapith.

Opened newly constructed building of Navajivan Trust, Ahmedabad. Purse of Rs 1.5 million presented on behalf of Gujarat on his 75th birthday, which he immediately handed over to President of the Provincial Congress Committee.

Declared that accepting aid from United States did not mean alignment with any power bloc. UNO should be strengthened.

Deplored Chinese intervention in Tibet and use of force against Tibetans.

Fell ill on 15 November. Taken to Bombay on Tuesday, 12 December. Died on Friday morning, 15 December.

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FOREWORD

The correspondence of Sardar Vallabhbhai Patel, running into ten volumes, covers a crucial period in India's history: September 30, 1945 to December 12, 1950—three days before his death in Bombay.

The letters and annexures consist of exchanges between Sardar Patel on the one hand and Lord Wavell, Lord Mountbatten, Jawaharlal Nehru, Rajendra Prasad, C. Rajagopalachari, rulers of Princely States, Premiers of Congress Ministries and scores of Congressmen belonging to the party rank and file, on the other. These relate to various matters which arose in the domestic, international, constitutional, administrative and economic spheres in this period and thus constitute valuable source material of history. They were in the custody of Miss Maniben Patel, the Sardar's daughter, and were deposited by her with the Navajivan Trust in Ahmedabad after his death.

The Trust arranged, under her direction and supervision, to have them typed in Ahmedabad and send the copies to me for editing and compilation. The volumes are thus based on authentic copies of the correspondence deposited with the Trust.

Explaining the time-lag in releasing the correspondence, Maniben said in a long talk she had with me in New Delhi in late 1970 that she had held it back until she was certain that its publication would not be harmful to the nation for which her father had laboured and suffered so much. The letters contain matter relating to Kashmir and other affairs of State and party organisation whose untimely disclosure might have embarrassed the Government or the political leaders of the day.

Since, however, some of the correspondence in the possession of other parties and relating to isolated events had been made public, she decided that the time had come to release the entire correspondence to give a balanced picture of the events to which they relate or of the Sardar's views. "I have been late," she said, "but not too late."

The Navajivan Trust, she added, had agreed to publish the correspondence and thus make it possible for the people of India and the world outside to have access to this valuable material which throws new light on the momentous developments

of the period covered by these papers and the calculations made by the leading personalities of the day in shaping the course of history.

Shantilal H. Shah, then a member of the Lok Sabha (Lower House of India's Parliament) and Managing Trustee of the Navajivan Trust, communicated to me the decision of the Trust to assign me the task of editing and compiling the correspondence. He mentioned that the Trustees had been influenced in this decision by the fact that as a political columnist and Joint Editor of the Hindustan Times I had been a witness at close quarters of the activities of Sardar Patel during the period of correspondence and that my recently published memoirs had confirmed them in their view.

As a working journalist I met Sardar Patel first at the Congress session of Ahmedabad in 1921 when as Chairman of the Reception Committee, he made the briefest speech in the annals of the Congress. I frequently met him thereafter at Congress sessions and at meetings of the Working Committee and the AICC. During 1946-50 when the Sardar stayed in Delhi, I kept almost daily contact with him.

I consulted two old friends who earned distinction as members of the Indian Civil Service and whose judgment I have come to value over the years. They are Shankar Prasada, who as Chief Commissioner of Delhi was in regular contact with Sardar Patel, and C. S. Venkatachar, who had worked as Secretary to the Ministry which dealt with Indian States. Both of them, with their intimate knowledge of contemporary events, encouraged me to undertake the colossal task. I am grateful to Shankar Prasada for having actively advised and assisted me.

Perhaps the most difficult task in handling the correspondence was in arranging the material. Unlike Nehru's Bunch of Old Letters which could be conveniently put together chronologically, the Sardar's letters dealt with men and day-to-day happenings in the governmental, political and administrative fields. Chronology was of course important because it indicated the variety, breadth and depth of the issues which the Sardar handled week after week. At the same time, the material had to be arranged according to subjects, episodes and personalities within the compass of chronology.

The significance of the correspondence lies in the light it sheds on the main characters on the Indian stage as they acted and reacted to the challenges of the time and to the problems posed

by their differing approach and outlook. There is indeed hardly a national or regional issue of consequence in contemporary history the origin of which cannot be traced to the five crucial years.

The Sardar initiated correspondence in four spheres in which he acted as the conscience of the Congress party. One related to the conduct of elections to the Central and provincial legislatures and the Constituent Assembly, including the selection of candidates on the party ticket and the collection and distribution of funds to finance the electoral battle; the second sphere concerned the integration of Princely states into the Indian Union and their democratisation; the third was about the supervision of provincial ministries manned by Congressmen and the control of the administrative machine, especially relating to law and order; and the fourth was concerned with the shaping of the Constitution, especially the chapters on Fundamental Rights and safeguards for the Princes, the Civil Service and the minorities.

On some delicate issues, the Sardar and Nehru exchanged correspondence bordering on acerbity. These included the powers of the Prime Minister vis-a-vis his Cabinet colleagues, the choice of Rajendra Prasad as President of the Constituent Assembly and later of the Indian Republic, and the selection of Purushottamdas Tandon as President of the Congress for its Nasik session in 1950.

Sardar Patel was known to be interested chiefly in internal affairs and the problems of national unity. He differed with Nehru in his basic approach to the Kashmir problem and in his estimate of Sheikh Abdullah. But the correspondence also reveals sharp differences in outlook on India's foreign relations, especially those involving Nepal, Tibet and China.

The Sardar's letters to Lord Wavell and Lord Mountbetten tell the story of his effort to save the Interim Government—and how he repeatedly confronted them with proofs of breaches of the understanding on which the Muslim League was admitted to the Government. The reactions and explanations of the two Viceroys throw interesting light on the inner conflict from which they suffered.

The most significant document is perhaps the long letter—over 10,000 words—which Sardar Patel wrote to the Premiers of the various provinces (as Chief Ministers of States were then called) in his capacity as acting Prime Minister. Nehru used to write a fortnightly personal letter to the Premiers. Patel used the opportunity presented when the Prime Minister went abroad to spell out what now reads like his will and testament on foreign

and domestic affairs and on economic, social and administrative problems confronting the nation then—and to this day.

Another example of what may be described as his will and testament in the sphere of institutional discipline may be quoted. Addressing "a word to Congressmen," he said: "For long years I have worked as a soldier of the Congress. I still consider myself a soldier though many call me a Sardar. To my fellow-soldiers, I respectfully submit that our only claim to power and authority springs from our having followed Mahatma Gandhi in the fight for India's freedom. Any further and future claim or honour that we find shall also be through sacrifice for the poor and the downtrodden. Humility is a Congressman's first requisite because that is the badge of service. Our proper place is not at vantage points of power but at vantage points of service. Who shall be ministers, and where shall state capitals and other things be located are matters for small people to talk and write about. Congressmen will be forced and pushed into seats of power if they are true Congressmen.

"For years I never spoke from a Congress platform. Even now I fear to make a speech, lest some unguarded word of mine should hurt somebody's feelings or interests. It would be unbefitting a servant. A soldier keeps his feet firmly on the soil. He is not afraid to fall. But those who have risen high risk a fall if they are not careful. Hence those in positions of authority should be watchful day and night. Let Congressmen eschew desire for power. Let able workers be brought forward. If it becomes necessary for us to sit in seats of authority let our hands be clean, our tongues mild, our hearts sound and our vision clear."

The present and future generations may look to the Sardar's correspondence for answers to questions such as:

Did Nehru and Patel think and act as statesmen rather than as politicians in handling the daily affairs of the nation and of the party? Did they have a moral yardstick? If they did, was it applied rigorously? Did they place the country above the party and the party above the individual? Did they observe norms of behaviour so as to set an example to their contemporaries and successors? Did they foresee the pattern of life which their own acts would unfold? Did they lay firm foundations for democratic growth? Did they fashion the political and administrative infrastructure to meet the needs of the challenging times?

Among figures around whom controversies raged were C. Rajagopalachari, K. Kamaraj, T. Prakasam, Rajendra Prasad,

Purushottamdas Tandon, Rafi Ahmed Kidwai, and Mastar Tara Singh. The triangle of the power structure, which dealt with issues great and small, was represented by Nehru, Patel and Maulana Azad.

What was the Sardar's style of work? An interesting light is thrown on the subject by those who came in close contact with him. Their views are recorded in a separate note entitled 'Focus on Sardar'. These are by Maniben Patel and five members of the ICS: C. S. Venkatachar, H. M. Patel, H. V. R. Iengar, Shankar Prasada and V. Shankar.

Gandhi, Nehru, Patel. These three names are inextricably woven into the pattern of Indian history in the great and thrilling years leading up to independence and immediately after. Vallabhbhai, unlike Gandhi and Nehru, was born poor. He was of peasant stock. His early life was a struggle to get educated. A man who matriculated at 22, an age at which other young Indians complete their university studies, and who through laborious self-study qualified as a district pleader, should have normally remained in this station for the rest of his working life. But Vallabhbhai, like his brilliant elder brother Vithalbhai, was not to be satisfied with a pedestrian part in the life of a small town. He thought big. His mind was fired by the desire to develop his latent talents to their full capacity.

The civil disobedience campaign in Bardoli in 1927 was the turning-point in Patel's political career. It projected him on the national scene as a man of action, clearheaded and firm of purpose and a trusted lieutenant of Gandhi. The British Raj capitulated in the face of the struggle led by Vallabhbhai and the satyagraha was called off.

This same capacity for effective leadership revealed itself throughout Vallabhbhai's career of public service spread over four decades until his death in December 1950. Whether he was arranging relief for the victims of flood or pestilence or communal violence, or fighting arrogant and overweening British bureaucrats for civic rights or against unjust land taxes, or marshalling support for mass satyagraha or for Congress candidates in local, provincial or national elections, he showed the same initiative and organisational ability he had successfully displayed as a rebellious schoolboy.

The Sardar gained reputation as an Iron Man because of the manner in which he, as custodian of free India's Home Affairs, brought about and maintained internal stability in the wake of the holocaust that preceded and followed the country's

blood-drenched partition. His genius for organisation found full scope in the task of forging national unity by successfully initiating the move for the merger of the Princely States first into unions and later for their absorption into the Indian Union. He also acquired the reputation of an Iron Man as the party boss. Congress members of the various legislative bodies and Pradesh Congress committees were personally known to him and he gave no quarter to those guilty of indiscipline or misbehaviour.

Freedom brought with it new problems. Popularly-elected ministers had to be schooled in their new functions. Bureaucrats had to learn that they no longer served a foreign master but the people of India. The feudal rule of princely India had to be changed to mesh with the needs of a democratic structure responsive to the wishes of the people.

Vallabhbhai Patel emerges from the correspondence as a great organiser and consolidator of modern India. Over 70 when he assumed ministerial office for the first time, he carried on his ailing shoulders the crushing burden of building the political infrastructure of the new India. Death prevented him from completing his task, but what he achieved in four short years endures.

The letters are the bones and sinews of Indian history of a crucial period. To the scholar and researcher, they offer a treasure of source material. To the politician, they should serve as a guide. To the citizen, they provide inspiration.

Nehru and Patel were complementary characters. Nehru was brought up in the Fabian ideology of Sydney and Beatrics Webb which upheld parliamentary democracy as the instrument of human fulfilment. But the moral and ideological aspect of Britain's political life and public postures was like the husk on the inner core of rice. Sardar Patel was interested in the inner core, the British genius for organisation and administration. He understood human psychology and what made the British Raj click.

Nehru understood the spirit of the age, social and economic justice for the underdog. Patel was in tune with the call of history—India's history beset with examples of disintegration when the Central authority weakened and intrigue, manoeuvres and selfishness became the motivating force of the elite. Nehru was the idealist dreamer, Patel the stern teacher with a cane hanging on the wall.

The plan of the volumes was settled in consultation with my collaborators. It was decided that the letters be published in

chronological order, but that the volumes be so determined as to provide an integrated story of the time. The decision of the British Government to reduce from 50 years to 30 the period of embargo on publishing confidential Cabinet matter and state secrets has provided a fresh stimulus to this exercise. The British documents cover the period 1942-47, when power was transferred to India, and the first two of the proposed ten volumes already released deal with confidential papers covering 1942-44. Where the story of the British Raj ends the letters of Sardar Patel pick up the thread and carry it to the end of 1950. The Congress Raj that followed was a continuation of the British Raj in more ways than one. It was not merely a case of peaceful transfer of power from the British to the Congress. It was also a continuation of the moral and administrative values for which Britons stood.

Maniben was the ideal companion—a daughter who, regardless of her own comfort, devotedly served her father and merged her personality with his. Her simplicity, self-effacing life and integrity earned her wide respect. She was virtually her father's shadow and was a close witness to the entire drama, its shadows and its highlights.

A brief chronology of events in the Sardar's life pinpoints the main events of his career, as also an illuminating account by Maniben and five officers of the ICS on how the Sardar organised his life and functioned as the party boss and Deputy Prime Minister.

The letters are not quite typical of the wit and candour and warmth with which Vallabhbhai spoke to his numerous daily callers. He was at his best in personal dialogue, when he spoke briefly but with great effect. This was because he was a shrewd judge of men and knew how to put his ideas across to them in the most human and telling way.

Sardar Patel believed in the doctrine of finding the right person for a job and trusting him to do it well. The correspondence unfolds his purpose or communicates his decision and bears the stamp of his thoughts. Some letters are concise, some precise and others verbose, while some have a touch of the pedantic. The Sardar did not waste time on a draft so long as it conveyed the core of his directives.

The changes made in editing the material for publication are limited to introducing uniformity in spelling and to correcting obvious errors in idiom and grammar. Where such amendations

need to be indentified, they are shown in square brackets in the text.

Arrangements are in chronological order and not by topic. But the letters have been grouped to retain inter-relation of events and negotiations. Correspondence of a routine nature has been omitted and a few excisions have been made out of regard for susceptibilities of the persons concerned. Such excisions are indicated by dots.

Where an extract or extracts from a letter are published, this is indicated by the word 'Extracts' at the top of the letter. The omissions have been effected by the persons entrusted by Maniben Patel and the Navajivan Trust with selecting the material for publication.

In several instances, letters, enclosures and other documents referred to in the published correspondence are not to be found in these volumes. We have not been able to fill these gaps and hope future researchers will be able to do so.

Each volume of the series contains an outline of the contents of the remaining volumes. This should help researchers ascertain at a glance what the whole series contains.

Wavell, Mountbatten, the Indian Princes and other dignitaries to whom letters have been addressed have a string of titles. The full title and address is given only in the first letter addressed to each of them in the volume concerned.

Each volume contains eight to ten pictures, most of which refer to persons or events mentioned in the text of the volume in question. These illustrations have been obtained from Maniben's collection or from the Photo Libraries of the Press Information Bureau of the Government of India and Army Headquarters in New Delhi, the Janmabhoomi of Bombay and the Times of India group through the courtesy of the heads of these organisations. The Editor wishes to record his appreciation of their help.

He also wishes to express his thanks to Maniben and the Trustees of Navajivan Trust for their co-operation in every way in helping to bring this monumental work to fruition. Thanks are due to the staff of the Trust office and Navajivan Press in Ahmedabad, the numerous typists who prepared copies of the thousands of letters and other documents which form the raw material for reconstructing the history of the short but epoch-making period 1945-50, and my colleagues and friends in New Delhi

who worked long hours in assembling, classifying and preparing the matter.

What is published in these volumes is not exhaustive. Research and perseverance would undoubtedly yield more source material. The yardstick which the Sardar applied to public life and to political and socio-economic issues was forgotten or ignored by his successors with consequences which became apparent in the confused state of politics in the 1960s. India has again entered the most crucial period in the evolution of its polity. The stand taken by the Sardar on various issues and his vision of the road which India should take have acquired a new relevance.

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9 November, 1971

DURGA DAS

FOCUS ON SARDAR

Sardar Patel's Correspondence deals with matters concerning Congress party affairs and the business of government conducted at a personal level. It was decided to seek the co-operation of those persons who came in close contact with the Sardar at the official level in giving close-up shots of him at work. Fortunately, five such persons who held official positions of importance under the Sardar have responded to the Editor's request.

In addition, Maniben Patel has described how the Sardar functioned in party affairs as Chairman of the Congress Parliamentary Board and informally in the governmental sphere.

Maniben Patel

An illuminating picture of Sardar Patel's activities and style of work was provided by his daughter Maniben. What follows are extracts from the information and views given by her to Trevor Drieberg and the Editor in New Delhi:

The Sardar was a man of few words. He wrote very little; he hardly kept any record of his public or party work. He destroyed letters addressed to him after reading them and replied by hand, not keeping copies. But after he was appointed Chairman of the Congress Parliamentary Board in 1934, files relating to its transactions were kept.

When the Sardar fell ill towards the end of the Bardoli satyagraha in 1928, it was suggested that somebody should give him secretarial help. I said: "If someone is to be kept, why not I?" From 1929 until his death, I preserved his correspondence whenever possible. Once, when K. Gopalaswami, political commentator of the Times of India, visited him in his flat on Marine Drive, Bombay, the Sardar called for a letter he had received from C. Rajagopalachari, forgetting that he had torn it up and thrown it in the wastepaper basket. Fortunately, I had collected the pieces. It took me some time to paste them together before passing it on to him. This happened before the Interim Government was formed.

The Sardar travelled second-class by railway before he became a Minister. I would spread his bedding at night and retire to a third-class compartment. But from 1934, when there was much correspondence to attend to even on train journeys and people came to see him at stations, I kept company with him in his

second-class compartment. I used to make copies of important letters he wrote in hand, but he would question this, asking why I was taking such trouble and wasting time. I also kept newspaper clippings of important events with which he was associated.

The Sardar read several newspapers and listened to radio news bulletins regularly. This enabled him to keep abreast of developments throughout the country. He also talked to people to get information to supplement other sources.

After 1945, the secretarial functions of the Congress Parliamentary Board were undertaken mainly by Shantilal Shah. The Sardar was undergoing treatment for intestinal trouble at the Nature Cure Clinic, Poona, when he sent for Shantilal Shah from Bombay. Shah, a Congress Socialist, hesitated at first because he did not know what was in store for him. But B. G. Kher (Premier of Bombay) advised him to take up the work. The Sardar told Shah he wanted him to act as his Secretary at the Parliamentary Board office located at the headquarters of the Bombay Pradesh Congress Committee.

The Sardar was a very shrewd judge of character. When he met a person for the first time he looked him up and down, and the assessment he made in that process rarely went wrong.

Once when Mathuradas Trikamji, Mayor of Bombay, asked what kind of men he kept round him, the Sardar replied that his was a "juggler's basket." He kept all kinds of people for the single aim of winning India's freedom. He used different people for different purposes. He was fully aware of their weaknesses and drawbacks but exploited their useful qualities.

The Sardar learnt punctuality in his youth when he had to do everything for himself. This experience taught him to save time by doing things according to schedule. This gave him self-reliance and at the same time an appreciation of the difficulties other people encountered. He walked on business errands rather than use transport. This habit served him well in London when he was attending the Inns of Court. He used to walk from his lodgings to the law library, a distance of several miles daily. He could not afford to buy books for study, and was at the library when the librarian opened it and left at closing time every evening.

The visit to England fulfilled two of my father's ambitions. He wanted to see the country from which people had come to conquer India and to qualify as a barrister. He had seen how even mediocre lawyers had been able to build up a large practice because they had been to London to study for the Bar. On his return to

Ahmedabad, he established himself as the city's leading criminal lawyer.

When he was a district pleader at Borsad in the early 1900s, there was a British magistrate who kept a mirror in his court to study the faces of witnesses. This made witnesses nervous and the magistrate drew conclusions from their behaviour about their truthfulness. The Sardar thought of a plan to make the officer behave. He demanded transfer to the district court of a case in which he was appearing before the magistrate. The Sardar presented him with a sealed letter. The magistrate opened the letter and saw his name heading the list of witnesses for the defence. He called the Sardar to his chamber for a talk. The accused was acquitted and the magistrate stopped using the mirror conceding that he had no right to do so. This incident illustrates a facet of my father's character. He had no fear of the British magistracy or administrators.

The Sardar was a man of regular habits and disliked armchair politicians. He read about Gandhiji's action in Champaran and was impressed by his methods of organising peasants to resist exploitation and oppression. Mahatma Gandhi was preoccupied with the agitation in Bihar and wanted somebody who would give up everything and devote all his time to the satyagraha campaign in Kaira district organised as a protest against excessive land revenue. My father volunteered his services, and they were accepted.

Until that time the Sardar wore European dress. He was so fastidious that finding no good laundry in Ahmedabad he got his stiff collars washed in Bombay.

From early youth, the Sardar developed the qualities of leadership and discipline. In later life, these qualities were to help him in organising large groups of people for action. Until the Bardoli movement, he was hardly known outside Gujarat. He did not go out of Gujarat until Gandhi's sentence of imprisonment for six years in 1922, when he went on a fund-raising mission for the Gujarat Vidyapith as far east as Rangoon.

For years in Gujarat, whenever Gandhi addressed a public meeting the Sardar did not speak at it and later, when the Sardar spoke, other Congress leaders did not speak. This is an illustration of the discipline observed by Congressmen at the time. The leader spoke for them and the others showed their loyalty by action.

When Gandhiji started the swadeshi movement and burning of foreign clothes, the Sardar burnt all his European clothes, socks and hats. He never wore any type of headgear, even a khadi cap,

after he cast aside his black Banglori cap. From then, he always wore dhoti and kurta and a chaddar on his shoulder, adding only a warm jacket in winter.

The satyagraha in Borsad Taluka, Kaira district, lasted a month. The provincial Government had levied a punitive tax of eight annas—a large sum at that time—per person on all the inhabitants for the maintenance of the preventive police. Even children were taxed. The campaign succeeded and in this satyagraha he gained the title Suba of Borsad.

Another sphere in which the Sardar helped to raise the morale of the people of the area was connected with activities of dacoits. People dared not leave their house after 6 p.m. for fear of dacoits who infested the area. They appealed to the Sardar for help. He agreed, provided they did not allow their houses to be used for keeping stolen property.

In the Bardoli satyagraha, there was one organiser for every big village. The Sardar set out at noon from his headquarters and returned at midnight after visiting many villages. There was only one car, so all the other organisers journeyed on foot or by train or cart. The peasants accepted the Sardar as their unquestioned leader. Every morning, he received written reports from each village through volunteer messengers. The title Sardar of Bardoli was conferred on him by a party worker at a public meeting. It gained nationwide currency when Gandhiji started referring to him in this manner.

As head of Ahmedabad Municipality, the Sardar looked far ahead of immediate civic needs and planned accordingly, unlike some of his successors who made changes looking to short-term gains.

His qualities of leadership were recognised when he organised relief measures during the floods that hit Gujarat in 1927. He went round Ahmedabad city with the chief engineer and ordered a culvert to be broken to let the flood waters flow into the Sabarmati river. This saved the city from total inundation. He also persuaded the Bombay Government to provide more than a crore of rupees for relief to the flood victims. He sent help to the Collector of Kaira when the district was cut off from the rest of Gujarat. Only the Collector's bungalow, which stood on a mound, was safe, and all the townfolk had gathered there for safety. The Sardar's men brought food and other necessities.

The Sardar went to Calcutta for the Congress session over which Motilal Nehru presided. Even though his name had become

a household word as the hero of Bardoli his physical appearance was not known. The volunteers of the Congress failed to identify him and since he did not carry a ticket he was not admitted to the pandal. The next day he carried his membership card and the volunteers were surprised when they found people shouting for the darshan of the Sardar of Bardoli and that the hero was the person the volunteers had kept out the previous day.

The Sardar was favoured by the Provincial Congress Committees as the next party president, but Motilal Nehru wrote to Gandhiji asking that Jawaharlal should succeed him. Motilal wanted to see his son Congress chief before he died. My father agreed with Bapu (Gandhiji) that Motilalji's wish be fulfilled.

It was usual for the Congress President to attend annual sessions with large retinues. The Sardar went to the Karachi session in 1931 with only me and an aide, thus cutting drastically the expenses of the reception committee.

The outlook of the Sardar and of Nehru was vastly different. They agreed to differ, but at the same time worked together for the common cause of India's freedom. The influence of Mridula Sarabhai and Rafi Ahmad Kidwai on Nehru was to a large extent responsible for the rift between my father and Jawaharlal.

The Sardar became the party boss from the time he became head of the Parliamentary Board. He was also the party's main fund-raiser. The Congress High Command, of which he was the mainspring, functioned as a moral prop for the Chief Ministers against the administrative machine directed by the British.

I used to sleep by the telephone to take calls that came at odd hours of the night so that the Sardar's sleep was not disturbed. I took down messages and passed them on to him the next morning. One such call came at midnight from Biswanath Das, then Premier of Orissa. He had decided to resign over the choice of a provincial official to act as Governor. The Sardar backed him and the Viceroy yielded.

I may recall a meeting the Sardar had with Bombay Governor Lumley in 1937 at Lumley's request. It lasted about an hour. Lumley told the Sardar that he would be Premier of Bombay, but the lands confiscated from the peasants of Bardoli would never be returned. The Sardar replied: "Note it down that I am not going to be Premier, and also that the lands will be returned to the peasants."

The Sardar took many unpopular decisions in party and Government matters, but his decisions were accepted because he

had no axe to grind. He was not amenable to threats or blackmail. He had no property of his own and he was above extraneous considerations. He had nothing to lose, had no ambition and no desire to cling to office.

Once in Yeravda jail, Gandhiji asked in good humour what post he would like to hold after Independence. The Sardar replied he would become a sadhu. In 1945, when it had been decided to replace Azad as Congress President, the Sardar got the largest share of votes in the Working Committee. But Kripalani, one of the candidates, withdrew in favour of Nehru and handed a paper to the Sardar to withdraw his nomination as well so that Nehru could be elected unopposed.

Gandhiji, to whom this matter was referred, told Nehru: "I don't want to make you a prop of mine if people don't want you." Nehru kept silent and was selected President. Gandhiji supported Nehru's choice as Prime Minister because he was well known outside India. He compared the Sardar and Nehru to two bullocks yoked to a cart. He felt that if Nehru was made Prime Minister he would be prevented from "making mischief" in the country.

When the Sardar became Home Member and later on Deputy Prime Minister, anybody could call on him during his morning walk from 4.30 to 6.30. He was a fast walker and few could keep pace with him. They told him what they wanted and then they would drop out when the dialogue was over. He gave brief answers and listened mostly. For party workers and others this was an opportunity for opening their hearts to him. At the end of an hour's listening, the Sardar would probably reply in a couple of words. He arranged assistance for even the humblest party worker who needed it. He provided hospitalisation if necessary. After his illness in March 1948 his medical advisers stopped morning walks completely and restricted his interviews.

In 1941, he was afflicted with severe intestinal trouble. He woke around 3.30 every morning because of pain in the bowels. He spent an hour in the toilet before setting out on his morning walk. He had a cup of tea and breakfast, which consisted of a piece of toast and apple juice. In these early morning hours, before going for a walk, I did my quota of spinning. After breakfast, Private Secretary V. Shankar came in with office files. The Sardar looked through the morning newspapers carefully and rarely missed any significant news. He gave oral instructions to Shankar. As before, he would write as little as possible. When

in good health, he left home around 9.30 for the Home Ministry, returned for lunch and after a nap of 15 minutes went to the Information and Broadcasting Ministry.

I looked after the Sardar's Gujarati correspondence while Shankar attended to that in English. I passed on some of the correspondence in Hindi to Shankar. Morarji Desai had recommended Shankar as Private Secretary. The Sardar invited him to lunch to look him over before selecting him for the post.

The Partition Committee set up under the Mountbatten Plan and consisting of as many as 30 to 40 officers, would come to the Sardar's house and stay up to lunch receiving instructions from him. Its members had to report back to him in the evening. Every order he issued had to be executed within 24 hours. He rang up Premiers at night when he had a particular issue to discuss with them. He was against wasting money on telephone calls on matters that were not urgent. I kept a diary of all private trunk calls, for which Sardar paid out of his own pocket.

I recall another instance of his method of work. There was a crisis in the jute industry. The Sardar phoned C. C. Desai, Commerce Secretary, and M. P. Birla, Chairman of the Indian Jute Manufacturers' Association, Calcutta, and others every night to check on developments. Similarly, at the time of the Bombay riots and disturbances elsewhere, he made phone calls at night to find out what was happening. He made calls to Punjab and Bengal and UP at the time of the partition troubles.

The Sardar was not impolite or arrogant in his dealings with people. He replied promptly to correspondence. He read all the letters addressed to him personally and generally told the officer concerned how he should reply. He never signed letters or any other document blindly. When he was not fully satisfied with a draft, he would change it himself or ask the officer concerned to redraft it. He liked precision and conciseness in letters. He would say that this was "not a place for essays" or for exhibiting one's command of English.

Mountbatten recognised the Sardar's greatness. I was the only other person present when the Sardar had a talk with Bapu between 4 and 5 p.m. on the day of his assassination. Bapu had decided to release the Sardar from the Ministry at the latter's instance, but Mountbatten strongly opposed this because he felt that the Sardar "had his feet on the ground while Nehru had his in the clouds." He told Gandhiji that he could not release the Sardar. Gandhiji agreed and withdrew his decision.

It was agreed at the conversation on January 30 afternoon that Gandhiji, Nehru and the Sardar should sit together and iron out their differences. But this meeting was never held. The Sardar was greatly upset by the slander campaign against him at that time in certain Congress and Government circles. He was worried at heart that Gandhiji had to defend him continually against these slanders.

Previously, when Nehru lived at York Road and the Sardar just across on Aurangzeb Road, they used to meet every day, even though for a few minutes. Nehru would sometimes drop in after lunch, or in the evening or at night after dinner. They walked together and discussed matters. The Sardar would walk with Nehru up to the gate of the latter's house on York Road and see him off there or they would return together to Aurangzeb Road.

These daily meetings and talks cleared misunderstandings, but this dialogue became very difficult after Nehru moved to the house of the former Commander-in-Chief on Teen Murti Marg. If he had not moved there on Mountbatten's advice, much of their later differences might never have developed. Because of his illness, the Sardar was not able to go to Nehru's house frequently.

When there were party matters to be attended to, the Sardar requested the AICC General Secretary to call at his house for instructions. The Working Committee met at the Sardar's residence since there was no good AICC office building at that time in Delhi. The provincial Premiers constantly sought his guidance, and he was a great help to them in their encounters with members of the bureaucracy or party dissidents.

The administrations of the new states formed after integration lacked capable men to guide them. But in those areas where party members had carried out constructive work under the Sardar's direction before independence, such men were available. This was so in Kathiawar and Gujarat. Elsewhere in the country, party workers in the former states had only indulged in agitation and there was no solid foundation for their work.

The Sardar did not aspire to prime ministership or any other high office. He once said that if India had won Swaraj ten years earlier he would have solved the food problem as he had solved that of the states. He added: "But I have not the strength to do so now." He considered food the country's most important problem after consolidation. He was essentially a

man of action, averse to writing. His philosophy of life may be summed up in the words: "Why not create history rather than waste time writing it?"

MR C. S. VENKATACHAR (Prime Minister, Jodhpur, 1946-47; Bikaner, 1948-49)

I find people are woolly-headed as to what happened barely 20 to 25 years back. This amnesia of the Indian mind to political and historical happenings is amazing. When I tell some incidents of the India of the Sardar or Nehru in 1946-47, the listener gapes at me and wonders if such things happened! The Indian mind creates a gap and then fills it with myth and mythology of its own. Antidote to this is to pump in recorded printed material.

Which of the civil servants round about the Sardar composed his letters is a matter of no importance. It is the working of his political mind that is of historic value. He had an uncanny instinct as to the limits within which the politician acted in making a decision and the area in which the civil servant had to carry it out. In the latter he allowed latitude to the officials in the abnormal period following independence and partition.

I have some views as to how to handle your prospective material in order that the Bismarkian stature of the Sardar may be truly, faithfully and accurately brought out.

The Sardar fascinated me as a born politician. The material which you may release may form grist to the mill of the politics of 1947-50. The letters speak for themselves. Scholars can make use of them for contemporary evidence.

H. M. PATEL (Defence Secretary, 1948-50)

Sardar Patel was a great administrator and a great leader of men. The two, in fact, go together. He had confidence in himself and was therefore able to inspire and instil confidence in those around him. Because of his self-confidence, he found no difficulty in delegating responsibility. And characteristically, once he delegated responsibility to anyone, he reposed full confidence in him until he proved himself unworthy of it.

He expected those whom he entrusted with responsibility to exercise the discretionary powers vested in them to the full, and he left them in no doubt that he would back them to the

full, accepting responsibility himself if anything went wrong and giving full credit to them when things went well. The result, as was only to be expected, was that he received efficient and loyal service. Of course, he was able to do all this because he had the other complementary ability to select the right men for the task in hand.

The Sardar sought always to select the best man for the task to be discharged. When he appointed Sir C. P. Ramaswamy Aiyar chairman of one of the more important commissions, many asked him why his choice had fallen on one who had only a little while before sought to establish Travancore as an independent sovereign State. His reply took the form of a question: "Do you agree that C. P. Ramaswamy Aiyar is eminently suited for this work?" The answer could only be in the affirmative. The Sardar then asked: "Was there any reason why the country should deprive itself of the services of one of its most able and distinguished sons? Do you think I am not competent enough to disregard any of his recommendations which I find not to be in the best interest of the country?" It will be seen that confidence in himself enabled him to take the right decision in the interest of the country.

The Sardar also had yet another quality essential in a good administrator. This was a sense of fairness. The fact that he had the power to impose his decisions did not ever tempt him to ignore fair play. While he readily agreed to give an assurance on behalf of the Congress to the British Government regarding the service conditions of the Indian members of the Civil Service, because it appeared to him to be the fair thing to do, he refused to agree to Indians being given the same option as the British members of resigning. While it was understandable that the British members wished to withdraw upon Independence, he could see no reason whatever for an Indian to do so, particularly when he was given an assurance regarding his terms and conditions of service.

Few today recollect that when the Sardar passed away civil servants of all services assembled in the Central Hall of Parliament under the chairmanship of Girja Shankar Bajpai not only to pay him tribute but to pledge their devoted services to the country as a token of gratitude for the trust and confidence he had reposed in them. How did he win this unique affection and confidence? One illustration may perhaps explain.

When partition was decided on, and the task of partitioning of assets and liabilities of the country and its administrative and other organisations was taken in hand, the Sardar invited some 40 or 50 Indian officers who had been appointed to the various committees set up by the Partition Council of the Cabinet working through a Steering Committee of two, Mohammad Ali on behalf of Pakistan and myself on behalf of India.

The Sardar spoke somewhat in the following terms: "I have invited you all today to say just this. You are being entrusted work of the greatest importance to our country. It has to be completed in a very short period of time. I have no doubt you will apply yourself to the task with zeal and accomplish it with thoroughness and fairness. Let me tell you that I have always been happiest when I have been engaged in working for the country. I am inviting you to join me today and participate in the same happiness."

He won the hearts of all by those very simple words. He was treating them as loyal Indians as anxious to work for the country as any Congressman. It is therefore not a wonder that not one of the decisions taken by the Partition Council has ever been questioned by either side as unfair.

H. V. R. Iengar (Secretary, Home Affairs, 1948-50)

The Sardar expected work to be brought in and the files on which his orders were required explained to him. He did not regard it as necessary to go through the correspondence. He wanted to know what the issue on which the Secretary wanted a decision was and the pros and cons of the issue. Thereupon, he would either immediately give an answer, or if the issue required some further consideration by somebody else he would postpone a decision. That was only on complicated matters. Then he would consult the other people concerned and would send for you and give you his decision.

I would say that his principal method of work was that he appointed an officer in whom he had confidence and gave him his trust. He had, of course, his own sources of finding out whether the official really deserved his confidence. But when he gave him his complete confidence he relied on him and never let him down.

I usually called on the Sardar at his house on Aurangzeb Road at three in the afternoon, after he had had his post-lunch

rest. One day I was with him in his bedroom and discussing official business when Maniben entered the room in a hurry and announced in Gujarati that the Maharaja of Patiala, Raj Pramukh of the Patiala and East Punjab States Union, had arrived. As he had not made an appointment, I assumed that the visit concerned some important matter and, rising, told the Sardar that I would wait outside while he talked with the Maharaja.

The Sardar shook his head and replied: "It is to you I have given an appointment, not him. Sit down." He then asked his daughter to invite the Maharaja to enter. As soon as he came in, he greeted him and, pointing to a chair some distance from him, said: "Maharaja Sahib, please sit down there." He next turned to me and said: "Go on, Iengar." I completed my work in about ten minutes and rose. The Sardar asked: "Have you finished." I replied: "Yes, sir." The Sardar said: "All right," and pointing to a chair near the bed he was lying on, added: "Come here, Maharaja Sahib."

SHANKAR PRASADA (Secretary, Kashmir Affairs, 1958-65)

I came into contact with Sardar Patel first as District Officer, Meerut (UP) during the 1946 Congress session held there at a time of great communal tension and trouble. Later, as Chief Commissioner, successively of Ajmer-Merwara and of Delhi, I had the privilege of almost continuous contact with him till his death.

I found that the Sardar, though stern in appearance, soon put all at ease through unfailing courtesy, simplicity and good humour. He was a good listener, digesting a brief easily and disposing of business quickly. It took me time to discover that silence with him implied assent and speech dissent. In other words, he was remarkable for achieving the maximum results with the minimum effort.

Perhaps the most outstanding trait in Sardar Patel which came into evidence soon after assuming office was his capacity to command the allegiance and unstinted loyalty of the Civil Servants who came into contact with him. This he ensured by respecting their allotted sphere of authority, extending to them discriminating support and in general allowing them their head to reach the goals he had set. Confidence begets confidence and no wonder that the Sardar got out of men more than most.

It seems to me that no correspondence, however diverse and voluminous, can do full justice to the personality of one who relied so much on the spoken in preference to the written word. Nevertheless, whenever the Sardar chose to communicate by letter, the instructions were clear and precise and based on a discoverable principle of public policy.

It is given to few to intervene as and when required and yet be able to do it so well as to carry conviction on the other side as well. This is only possible when the Civil Service machine as a whole and its important components are treated as partners in business, maybe junior partners, but all the same equally entitled to consideration and respect. That Sardar Patel, new to official machinery, recognised instinctively these principles as basic to good administration so early on assuming office shows that some men are born to lead and others to follow.

V. SHANKAR (Private Secretary to Sardar Patel, 1947-50)

As Chairman of the Parliamentary Committee of the Congress, the Sardar had demonstrated how party discipline had to be enforced when he dealt with the Khare episode in the Central Provinces and the Nariman episode in Bombay. He maintained that iron discipline throughout the first and second spells of Congress Ministries during the British regime. Even after Independence he strove to continue the same tradition. In the process he disciplined himself. Neither Dr Pattabhi Sitaramayya, who was elected Congress President in 1948 against his wishes, nor Mr Bhim Sen Sachar who temporarily ousted Dr Gopichand Bhargava about the same period could claim lack of co-operation from the Sardar. Dr Prafulla Ghosh who was for some time Chief Minister, West Bengal, also received full co-operation from him as long as he was Chief Minister. There was no centrally-sponsored attempt to topple any of these persons. When they fell, they fell on their own account. When the Socialists carried their dissent too far in the Congress and when in U.P. Mr (R.A.) Kidwai's group followed the same example, the Sardar did not hesitate to bring about their exit.

* * *

It was acting on these principles and policies that in the years 1947-50, the problems that confronted the country in the critical years after Independence were made to look comparatively easy of solution. The reason was that hard realism, conviction, determination and patriotism ran through thought, conduct

and behaviour between which there was an enviable harmony. It was a liberal education to see that great man with a massive mind and practical commonsense reduce complications to simplicities, idealism to realism, vagueness to definiteness, vacillation to determination and fickle-mindedness to resolution.

(Extracts from the article written by Mr V. Shankar for the publication brought out on the occasion of Sardar Patel Jayanti Samaroh celebrated by Delhi Citizens' Council on 31 October 1970.)

INTRODUCTION TO VOLUME I

This volume—the first in the series—has brought together correspondence and annexures dealing with the State of Jammu and Kashmir.

A whole volume has had to be devoted to the subject for a number of reasons.

First, there was no other way of ensuring the unity of the subject.

Secondly, though no longer a burning issue, Jammu and Kashmir, as the by-product of the partition of the sub-continent into India and Pakistan consequent on the withdrawal of British power, still ruffles Indo-Pakistan relations.

Thirdly, it continues to provide a convenient handle to the Super Powers (if and when they wish) to meddle in the affairs of the sub-continent and upset the balance of power in the region.

Fourthly, it has an intimate bearing on domestic politics because of the emotions it arouses in India in the context of the secular ideals enshrined in the Indian Constitution.

The correspondence between Sardar Patel, Mr Nehru and Lord Mountbatten and that between the Sardar, the late Maharaja of Kashmir and Sheikh Abdullah constitutes vital source material of contemporary Indian history. It brings into focus, for the first time, the roles of the principal actors in this drama of statesmanly adherence to high principles of public policy, great deeds of valour on the battlefield, sordid intrigue and treachery that has characterised relations between India and Pakistan. It also throws light on attempts, open or veiled, by the Super Powers to make the dispute serve the ends first of the cold war and later of the power blocs.

The voluminous correspondence on Kashmir shows that one form of dictatorship, namely that of the Ruler, was replaced by another headed by Abdullah. Both depended on India for maintaining their authority. However, the power which corrupted the Prince also corrupted Abdullah. Both were subject to the power of veto by India but this was seldom exercised against Abdullah to whom Nehru had transferred authority without reservation. Gopalaswami Ayyangar shuttled between Delhi and Srinagar. When Abdullah decided to celebrate "liberation" from

princely rule, the Sardar asked Nehru to advise Abdullah to forgive and forget; the British, he said, had gone and India had shown no rancour and Abdullah should do the same. Nehru agreed to send a telegram to Abdullah advising him against any ostentatious display, but the latter had his way.

The fact is that Nehru was often carried away by idealism. Gopalaswami Ayyangar, a Cabinet colleague and once Prime Minister of Kashmir, saw everything but was helpless. The Sardar had no illusions. The significance of the correspondence lies in proving through subsequent events how right Patel was in his assessment of Abdullah and of the events then taking shape.

Another point which emerges is that Mehrchand Mahajan as Prime Minister of Kashmir proved an irritant to Nehru and Abdullah who did not fully trust him. The Sardar, even though heading the Ministry of States, was not in charge of Kashmir Affairs. In the circumstances, he was handicapped in attempting the solution of a problem for which he was not directly responsible.

The correspondence is replete with forthright declarations of policy by Nehru and Patel, who were playing a complementary role in handling the Kashmir imbroglio. Nehru wrote in a letter to Patel that "the prize we are fighting for is the Valley of Kashmir," and referring to diplomatic pressure for the appointment of Admiral Nimitz as arbitrator he wrote: "All this barrage is, I suppose, meant to sweep us away." He wrote to Sardar from London and Paris ruling out "help and co-operation from Britain" on the Kashmir issue.

General Cariappa reported to Nehru the unhealthy effect on the Army's morale of the tussle between the Maharaja and Abdullah. Nehru looked to Patel to resolve it. The correspondence shows how the Maharaja was persuaded by Gandhi and the Viceroy to let Nehru visit Kashmir and how Abdullah in a letter to Maharaja on 26 September 1946 stated: "I beg to assure Your Highness once again of my steadfast loyalty and pray that God may grant me opportunity enough to let this country attain under Your Highness' aegis such an era of peace, prosperity and good government that it may be second to none and be an ideal for others to copy." It also discloses how the Sardar steadily won the "implicit trust and confidence" of Maharaja Hari Singh and made him agree to release Abdullah, grant a general amnesty, install a popular Ministry and virtually abdicate by appointing Yuvraj Karan Singh Regent.

An interview given by the Sheikh to a Scottish daily made the Sardar write that "a vehement exponent of accession to India seems to have been converted to 'independent Kashmir'." He wrote to Gopalaswami Ayyangar, who was Nehru's special aide in handling Kashmir affairs: "Whenever Sheikh wishes to back out he always confronts us with his duty to the people. Of course, he has no duty to India or to the Indian Government, or even on a personal basis to you and the Prime Minister who have gone all out to accommodate him."

In another letter to Nehru the Sardar stated: "About Pakistan's attitude regarding Kashmir as also about their attitude on other inter-Dominion questions, I have always held one view. They have outwitted us and if we will not be on our guard they will steal a march on us."

It is of some interest to mention that partition of Jammu and Kashmir as a settlement of the problem was proposed by Nehru in London and Paris as far back as 1948, and he mentioned this in a letter to the Sardar written from Paris in October 1948.

The late Maharaja of Kashmir and Sheikh Abdullah, who had little in common, shared and worked in their own way for a similar objective, namely, an independent Kashmir. If they acceded to India it was because Pakistan, by invading the State, left them with no other choice. Kashmiris have in the end retained their identity within the Indian Union by adopting a constitution of their own through a Constituent Assembly of their choice.

The revelations made in the correspondence challenge some of the assumptions made by the spokesmen of India and Pakistan about the sequence of events. They also throw a new light on certain aspects of the Kashmir issue which have embittered Indo-Pakistan relations. It is to be hoped that the publication of these papers will promote a new spirit of inquiry and bring into proper perspective contemporary events in Kashmir, thereby paving the way for a better understanding of men and events, dominating the scene at a crucial moment in the history of the sub-continent.

The letters and annexures are preceded by a Prologue and a note on the political background to the correspondence and are followed by an Epilogue describing subsequent developments, ending with the agreement at Tashkent on 10 January 1966.

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9 November, 1971

Durga Das

CHRONOLOGY OF PRINCIPAL EVENTS IN JAMMU & KASHMIR

1938-1966

1938 Working Committee of All Jammu and Kashmir Muslim Conference decides to revise structure and programme of organisation (28 June).

1939 Organisation renamed All India Jammu and Kashmir National Conference and non-Muslims included in Working Committee (11 June).
National Conference passes resolution demanding transfer of power in State to popularly-elected government (October).

1941 National Conference joins All-India States Peoples' Conference.

1946 Quit Kashmir movement launched (March).
Sheikh Abdullah and other National Conference leaders arrested (20 May).
Jawaharlal Nehru arrested at State border on defying order banning his entry (20 June).
Abdullah tried on charge of sedition and sentenced to three years' rigorous imprisonment (July).

1947 Maharaja Hari Singh agrees to negotiate standstill agreements with India and Pakistan (12 August).
Maharaja signs agreement authorising Pakistan to operate Kashmir's posts and telegraphs and obligating it to supply foodstuffs and other necessaries (15 August).
Abdullah released (September).
Tribesmen from North-West Frontier Province and Pakistan nationals march into Kashmir (21 October).
Maharaja requests Government of India for immediate help against tribal raiders and offers to accede to India (26 October).
Accession offer accepted (27 October).
Indian troops rushed to Kashmir (27 October).

1948 India calls upon United Nations Security Council to stop Pakistan from aiding raiders in Kashmir (1 January).
Security Council passes resolution requesting India and Pakistan to desist from aggravating situation in Kashmir (17 January).

Security Council appoints three-member commission to settle the Kashmir issue (20 January).
Maharaja announces popular interim government in State (5 March).
Security Council asks India and Pakistan to withdraw troops from Kashmir (21 April).
United Nations Commission for India and Pakistan arrives in India (10 July).
UNCIP presents proposals for a cease-fire to Indian and Pakistani Governments (13 August).

1949 India orders cease-fire in Kashmir (1 January).
India and Pakistan accept UNCIP resolution on holding a plebiscite in Kashmir (5 January).
UNCIP presents final, modified truce proposals (6 June).
Dr Alfred Lozano resigns from UNCIP for "personal and political reasons" (24 June).
Military representatives of India and Pakistan agree in Karachi on cease-fire line (27 July).

1950 Security Council adopts resolution winding up UNCIP and appointing a UN representative in Kashmir (24 February).
Sir Owen Dixon, a Judge of the Australian High Court, arrives in India to take up duties as UN Representative (27 May).
Dixon presents report to Security Council saying there was no immediate prospect of India and Pakistan settling their differences on Kashmir (27 October).

1951 Security Council again takes up Kashmir Issue (28 February).
Dr Frank Graham appointed UN Mediator (1 May).
The Head of the Jammu & Kashmir State issues proclamation (1 May).
Graham submits report to the UN on Kashmir Issue (19 December).

1952 Nehru visits Karachi for talks (25 July).

1953 Graham reports failure of Geneva talks on Kashmir Issue to the Security Council (31 March).
Sheikh Abdullah dismissed and arrested in Srinagar (9 August).
Bakshi Ghulam Mohammad succeeds as Prime Minister (9 August).

1955 Pakistan Prime Minister Mohammad Ali and Minister for Interior Iskander Mirza visit New Delhi for talks (13 May).
Mohammad Ali says in Karachi that his talks with Nehru on Kashmir issue had neither succeeded nor failed (18 May).

1956 J&K Constituent Assembly unanimously passes clause defining the State of Jammu and Kashmir as an integral part of the Indian Union (30 October).

1957 Pakistan rejects Jarring's proposal to refer Kashmir question to International Court of Justice (17 November).

1960 Nehru and Ayub and the Vice-President of the World Bank jointly sign the Indus Waters Treaty in Karachi (September).

1962 The Chinese open fire on Indian troops near Dhola in NEFA (20 September).
Heavy fighting begins on NEFA front (12 October).
The Chinese launch a massive attack in NEFA and Ladakh areas (20 October).
India loses Tawang to China in NEFA (25 October).
Indo-Pakistan talks on Kashmir and other related matters at the ministerial level begin at Rawalpindi (27 December).
Pakistan and China sign a boundary agreement (28 December).

1964 UN Security Council resumes debate on Kashmir (20 March).
Sheikh Abdullah released (8 April).
Sheikh Abdullah meets Ayub in Rawalpindi (24 May).
Nehru passes away (27 May).
Lal Bahadur Shastri sworn in as Prime Minister of India (9 June).
Bakshi Ghulam Mohammad arrested in Srinagar (22 September).
Shastri and Ayub meet in Karachi (12 October).

1965 Sheikh Abdullah and Afzal Beg interned in Ooty under Defence of India Rules (May).
Pakistan invades Indian territory in Chhamb sector. India retaliates (1 September).
Security Council adopts cease-fire resolution (20 September).
India and Pakistan agree to a general cease-fire with effect

from 3.30 a.m. Indian Standard Time in response to the UN Security Council's call (22 September).

1966 The Tashkent Conference (4-10 January).
Tashkent Declaration signed (10 January).
Lal Bahadur Shastri passes away in Tashkent (11 January).

ABBREVIATIONS

ADC	Aide-de-Camp
CA	Constituent Assembly (of India or J & K)
C-in-C	Commander-in-Chief
CID	Crime Investigation Department
DPM	Deputy Prime Minister
GOC	General Officer Commanding
HC	High Court
HH	His Highness or Her Highness
ICS	Indian Civil Service
IGP	Inspector-General of Police
INA	Indian National Airways
IPC	Indian Penal Code
MCA	Member, Constituent Assembly
MT	Motor Transport
NCO	Non-Commissioned Officer
NWFP	North-West Frontier Province
Panditji	Title of address for Jawaharlal Nehru who was a Kashmiri Pandit
PIO	Principal Information Officer
PM	Prime Minister
RAF	Royal Air Force
RSS	Rashtriya Swayamsevak Sangh
Sardar	The leader; a term of respect used for Vallabhbhai Patel
SFs	State Forces
UNCIP	United Nations Commission for India and Pakistan
UNMOGIP	United Nations Military Observer Group in India and Pakistan
UNO	United Nations Organisation
VCO	Viceroy's Commissioned Officer

GLOSSARY OF INDIAN TERMS

Abiana	Water cess on irrigation facilities.
Arya Samaj	A sect of reformist Hindus who are against idol worship.
Azad (Kashmir)	Free; refers to Pak-occupied Kashmir.
Baisakhi	New Year Day in Punjab to celebrate harvest.
Basant Panchmi	The fifth day of the month of Phalgun which announces the advent of spring. Also called Saraswati Puja, the day on which the Goddess of Learning is worshipped.
Dak Bungalow	Government resthouse.
Darshan	Audience with a person held in reverence.
Darbar-i-am	Part of a royal palace where the king held public audience.
Dharmarth Act	Religious Endowment Act.
Durbar	A court, an audience or levee; executive of an Indian State.
Durga Puja	Celebration usually observed in the month of October in honour of Kali (Goddess of Shakti).
Dussehra	The day Rama killed Ravana in the Hindu epic of Ramayana.
Gaddi	Throne, seat of rank or royalty.
Goondas	Hooligans.
Hazur	Term of respectful address, equivalent of Excellency.
Hundies	Promissory notes issued by local money-lenders.
Jagir	A village or district originally assigned to a person for internal government and enjoyment of its revenue. These distinctions are however out of date and the existing jagirs are hereditary and free of liability for service.

Janam Ashtami	Birthday of Krishna.
Jehad	Holy war waged by Muslims for a religious cause.
Jhelum Valley	Refers to the fertile part of the Kashmir Valley traversed by the River Jhelum.
Kanyakumari	Hindu name of Cape Comorin—the confluence of three seas, Arabian, Bay of Bengal and Indian Ocean.
Kashmiri Pandit	Brahmins of Kashmir, known for their learning and orthodoxy.
Khuda Hafiz	May God be with you; a form of farewell.
Maharaja	Great king, Prince; a Hindu title.
Maharani Sahiba	Wife of a ruler; queen.
Mohallas	Lanes.
Muslim Conference	Counterpart of Muslim League in Kashmir.
Nanak Shahee	The era of Guru Nanak, founder of Sikhism.
Pashmina	Cloth made of soft wool.
Pathans	Warrior tribes of the Frontier (NWFP) region.
Praja	Subjects of a king or ruling chief.
Praja Parishad	People's Association; a political party in Jammu and Kashmir.
Puja Days	Days on which special worship is held.
Raja	A king or prince.
Rajput	Warrior caste among Hindus; also called Kshatriyas.
Ram Navami	Birthday of Rama.
Saraswat Brahmins	A sub-caste of Brahmins found mostly in Punjab, Kashmir, Maharashtra and Mysore.
Tamasha	Entertainment, show; in sarcastic sense, an exhibition.
Upanayana Ceremony	The sacred thread ceremony of Hindu boys, usually at the age of eight.
Yuvraj	Heir-apparent.

PROLOGUE

From Kashmir to Kanyakumari. This is how Bharat, that is India, is mentioned in religious incantations. The popular image of Bharat Mata (Mother India) shows its head represented by Kashmir's snow-capped mountains and her feet washed by the waves of the Indian Ocean at the southern tip of the peninsula. The Vedic religion is said to have flowered best in Kashmir, and the Brahmin elite from this region spread the Vedic message to various parts of the peninsula.

In a foreword written on 8 October 1962, to "A History of Kashmir" by Prithvi Nath Kaul Bamzai, Jawaharlal Nehru observed that Kashmir "experienced successively and sometimes together Buddhist, Hindu and Muslim influences, creating a mixed but harmonious culture which is so evident even today in Kashmir." After pointing out that this blending of culture was more evident in Kashmir than in the rest of India, Nehru wrote: "Kashmir has been very much in the news in the last few years and many people talk of it as if it was just a piece of territory over which there is a conflict and lengthy arguments take place in the Security Council of the United Nations. But behind all these arguments lie the people of Kashmir, an attractive people in many ways who want to live their own lives and, now that they have tasted freedom, to progress according to their own ways and maintain the blended culture which has been their hallmark, whether they are Hindus or Muslims or Sikhs."

The State of Jammu and Kashmir, covering an area of 86,024 square miles, has the lowest density of population in India. But it has a strategic importance in that its territory (the Valley, Jammu, Ladakh, Baltistan, Gilgit, Hunza and Nagar) shares borders with Pakistan, Afghanistan and China, apart from being close to the Soviet border, and is the old trade route to Central Asia.

Kashmir is the only region of India which has a connected history dating back to the earliest times. Kalhana, its first historian, composed "Rajatarangini" (River of Kings) in Sanskrit verse in the 12th century A.D. On account of the paucity of historical material relating to the Hindu period of India as a whole, this book has long attracted the attention of historians, European and Indian. Other writers took up the narrative where Kalhana left

and completed it up to the conquest of the Kashmir Valley by the Moghul Emperor Akbar in 1586.

Kashmir was a part of the empire of Ashoka in the 3rd century B.C. and it was he who introduced Buddhism into the State. After the commencement of the Christian era, the Valley was invaded by Tartars. In the 6th century A.D. came the White Huns. The Chinese traveller and writer Hieun Tsang visited Kashmir in 629-631 A.D. Lalitaditya is the most famous of the later Hindu kings. He is said to have subdued many Indian kings in a campaign of conquest. He then turned his attention to Central Asia, from where he returned victorious through Tibet after 12 years. He was a patron of the arts and executed many public works and built temples.

Mahmud of Ghazni attempted to invade Kashmir but failed. Dynastic revolutions followed, and with the propagation of Islam the Valley passed into the hands of Muslim rulers. The most notable of them was Sultan Zain-ul-Abidin (1420-70), who is said to have introduced papermaking, sericulture and shawl manufacture in Kashmir. He has been described as generous and brave and earned the goodwill of the Hindus, who had been persecuted by his predecessor Sultan Sikandar, known as Butshikan (iconoclast). Zain-ul-Abidin encouraged letters, fine arts and polytechnics. The Moghul Emperors Jehangir and Shah Jehan were very fond of Kashmir, using it as a retreat from the hot summer of the northern plains. They built stately mansions, planted chinars and laid out pleasure gardens round Dal Lake and elsewhere.

Ahmed Shah Abdali invaded and occupied Kashmir in 1750. Afghan rule that came in his wake was harsh, and in 1819 some of its persecuted people called upon Maharaja Ranjit Singh of Punjab to rescue them. The Maharaja sent Raja Gulab Singh, Dogra Rajput and founder of the last ruling dynasty of Kashmir, to the Valley at the head of an army. The Afghan Governor was defeated, and from 1819 to 1846 Kashmir was under the Sikhs. An uprising took place in the Valley in 1842 and again Raja Gulab Singh was sent to deal with it. He put down the insurrection and left after appointing a governor, only to return a few years later as Maharaja of Jammu and Kashmir under the Treaty of Amritsar (reproduced in Appendix I).

On assuming sovereignty, Gulab Singh found that large areas of agricultural land belonging to the State had been alienated by the last two Governors. An inquiry was instituted and some of the land gifts were revoked. The Maharaja lightened the burden on the

peasantry of begar, a system of free labour which had existed from ancient times. He also introduced rice rationing in the Valley.

Maharaja Gulab Singh, a strong ruler most of whose energies were spent in consolidating the frontiers of the State, subdued the turbulent border tribes in the north and brought all the territories of the State under his direct rule.

In 1831, trouble arose on the Tibetan frontier over the refusal of the zamindars of Ladakh to allow free movement to certain trade missions from Tibet. The dispute was, however, settled by an agreement between the representatives of the Maharaja and the Dalai Lama.

K. M. Panikkar writes in his book: "Gulab Singh—Founder of Kashmir" (Martin Hopkins, 1930): "In a century barren of historical achievement in India, Gulab Singh stands out as a solitary figure of political eminence. He is the only ruler in India's long history who could be said to have extended the geographical boundaries of India. No previous Indian ruler, not even Samudra Gupta or Akbar, has ever dreamt of invading Tibet and although Zorawar, who ventured too far, paid the penalty for his adventure, the Maharaja's forces routed the Tibetan army and extended the border of India to the other side of the Himalayas."

Gulab Singh died in 1857. Eleven years of Dogra rule witnessed the gradual establishment of order in the State. But in the reign of his successor Maharaja Ranbir Singh the northern frontier tribes again became troublesome and several expeditions had to be sent against them. Thus came about the subjugation of Gilgit and adjacent territories.

Ranbir Singh was succeeded in 1885 by his eldest son, Pratap Singh. After the new Maharaja's accession, a British Resident was appointed in place of an officer on special duty. The Resident and his assistants were empowered to try civil suits in which both parties were British subjects or the defendant was a Briton or an Indian subject of Britain. A council was constituted for the administration of the State with Raja Sir Amar Singh, the Maharaja's younger brother, and two officers of the Government of India as members. Amar Singh played a major part in the administration till his death in 1907.

In 1924 a deputation presented a memorial to the Viceroy, Lord Reading, on his visit to Srinagar. The memorial demanded that land ownership rights be given to peasants, that more Muslims be employed in the State services, that they be given better facilities for education, that begar be abolished and all mosques in

the possession of the Government handed over to the Muslims. A new era in the history of the State began with the accession of Maharaja Hari Singh in September 1925.

In his book, "Kashmir in Crucible" (Pamposh Publications) Premnath Bazaz observes that in the late twenties, Kashmiri Pandits stole a march over the Muslims; they launched a movement which is known as 'Kashmir for Kashmiris'. Under the leadership of Shankarlal Koul the Kashmiris started a publicity campaign demanding recruitment of educated sons of the soil in government services, ban on the sale of land to outsiders, freedom of the Press, freedom of association and assembly, and creation of an elected legislature to voice the views of the people on all affairs of State. It was as a result of this campaign that the Maharaja was induced to enact the State Subject Law imposing restrictions on the entry of non-Kashmiris in Government services and on sale of agricultural land to them. But this measure of reform failed to adequately meet with the people's demand.

Things were now moving very fast on the Indian subcontinent. In December 1929 the Indian National Congress adopted on the banks of the Ravi at Lahore a resolution setting complete independence as its goal. A mass civil disobedience movement followed which electrified the subcontinent from Gilgit to Cape Comorin. Kashmir too felt its repercussions. Its people were deeply excited with what was taking place in the rest of the country.

In 1930 a new organisation called the Reading Room Party was formed in Srinagar by a few Muslim graduates to discuss the problems of the community. Among them was Sheikh Mohammed Abdullah. The party organised meetings, at which speeches were made emphasising the hardships of the people of the State. The State Government responded by offering them Government jobs. Abdullah was appointed a teacher in a Government school but left his post after a few months. He then founded the Muslim Conference, of which he became president.

Thus began the struggle for democratisation of the administration of Jammu and Kashmir. It had its origin in the widespread discontent among the Muslim masses who, like the Hindus of Hyderabad State, were inadequately represented in the State services and in its economic and industrial life in general, though they constituted 78 per cent of the total population of Jammu and Kashmir and were about 94 per cent of the population in the Kashmir Valley.

Sheikh Abdullah's fight for democratic rights for Muslims made him a popular figure. As the popularity of the Muslim Conference grew, it led to tension between Hindus and Muslims and to communal riots in Srinagar in June 1931. Hindus suffered heavily. The State Government arrested 300 people, including Abdullah. But the Muslim Conference continued its agitation, and in July 1931 there was a massive demonstration against the State Government and the Maharaja. Muslim demonstrators had gathered outside the jail in Srinagar where another Muslim was on trial. The crowd forced its entry into the jail, causing the police to open fire. As a result, 21 people were killed.

Communal disturbances caused the Maharaja to appoint a commission, with B. J. (later Sir Bertram) Glancy of the Political Department of the Government of India as chairman and with four non-official representatives of the Hindus and Muslims of Jammu and Kashmir Provinces as members, to inquire into the religious and secular grievances of the people.

After the inquiry, a reforms conference with Glancy as president was held to give effect to the Maharaja's desire to associate his people with the administration of the State. The result was the establishment in 1934 of the Jammu and Kashmir Praja Sabha. The right to vote was given to about 6 per cent of the population, including women.

The Sabha consisted of 75 members, over 60 of whom were non-officials, 33 being elected. This constitution remained in force until 1939.

Convinced that the party which challenged autocracy and worked for the establishment of responsible government should be non-communal so that all progressive forces in the State could rally round it, Sheikh Abdullah moved the following resolution in the Working Committee of the Muslim Conference in June 1938:

> "Whereas in the opinion of the Working Committee the time has now come when all progressive forces in the country should be rallied under one banner to fight for the achievement of responsible government, the Working Committee recommends to the General Council that in the forthcoming session of the Conference the name and constitution of the organisation be so altered and amended that all such people who desire to participate in this political struggle may easily become members of the Conference irrespective of their caste, creed or religion."

Certain members of the Muslim Conference, notably Bakshi Ghulam Mohammad and Mirza Afzal Beg, opposed this resolution. Ghulam Abbas (who later became leader of the Muslim Conference in Pakistan-occupied Kashmir) supported it. But the Sheikh's advocacy carried the day and the resolution changing the organisation's name to National Conference was adopted.

One effect of the agitation of the National Conference was that further constitutional advance was announced by proclamation. Its main features were:

(a) the number of elected members in a House of 75 was raised to 40;

(b) the Sabha was given the right to elect a Deputy President from its non-official members;

(c) provision was made for appointing non-official members as Under Secretaries to work with the Maharaja's Ministers;

(d) The Praja Sabha was given the right to vote on most of the demands made by Government for budget appropriations;

(e) The Sabha was given the right to legislate on taxes.

In July 1943, a Commission of Inquiry was appointed under the presidentship of Rai Bahadur Ganga Nath, Chief Justice and President of the Praja Sabha, and consisting principally of non-official members of the Praja Sabha and others representing different interests and communities to ascertain whether the Constitution of the State was working well and to formulate a policy for future constitutional change and administrative reform.

Throughout the rest of India the Congress and the Muslim League were emerging as the two principal political parties. The question most Kashmir leaders posed to themselves was whether the National Conference should align itself with the Congress or the Muslim League. One section of opinion thought that it should remain neutral, but as Abdullah and his associates drew closer to the All-India States Peoples' Conference and came in contact with Indian leaders, particularly Mahatma Gandhi, Jawaharlal Nehru and Khan Abdul Ghaffar Khan, they were greatly influenced by them. Thus the National Conference began to work in close liaison with not only the States Peoples' Conference but also the Indian National Congress.

In 1940 Nehru, accompanied by Khan Abdul Ghaffar Khan, visited Kashmir. The tour evoked a tremendous demonstration of

popular support and increased the prestige of the National Conference. The visit proved a turning-point in the political career of Abdullah as well as of the freedom movement in the State.

In August 1942, when the Congress launched the Quit India movement, the Working Committee of the National Conference adopted an official resolution supporting it. To enforce this decision, the 23rd of August was celebrated throughout Kashmir as National Day.

Mohammed Ali Jinnah visited the Kashmir Valley in June 1944. Contrary to his declaration that his visit was for reasons of health and not to influence the politics of the State, he tried to wean the National Conference leaders from the Congress but failed.

Nehru, Abdul Ghaffar Khan and Maulana Abul Kalam Azad were present by special invitation at the Sopore session of the National Conference in August 1945 when Abdullah spelt out his programme for building a new Kashmir. He declared that "the future and independence of Jammu and Kashmir State are inextricably linked with the future and independence of India."

The last phase of opposition to the State Government was the agitation started by the National Conference in May 1946. The slogan put forth by the Conference was Quit Kashmir. Mr. Jinnah, reacting to this slogan, issued a statement in which he described the movement as "an agitation carried on by a few malcontents who were out to create disorderly conditions in the State."

Abdullah, leader of this movement, and his lieutenants were arrested a few days after the agitation started. To demonstrate his support, Nehru decided to visit Kashmir in June. The State Government banned his entry. Defying the ban, Nehru tried to enter the State, but was arrested at Kohala Bridge. It was after Maulana Azad's assurance that the Congress Working Committee would take up the matter that Nehru returned from Kohala.

On 17 June 1947 the Indian Independence Act was passed by the British Parliament providing for transfer of power to two newly created Dominions—India and Pakistan. A part of India having a preponderating Muslim majority was constituted into Pakistan which assumed power of a Dominion on 14 August 1947. The major part of the country achieved independence on the midnight of 14/15 August.

The future of the Princely States was defined in a memorandum (dated 12 May 1946) on States Treaties and Paramountcy presented by the Cabinet Mission to the Chancellor of the Chamber

of Princes in India. Since paramountcy lapsed on 15 August the Princes were free to accede to one or the other Dominion or become independent. All but three States acceded to either Dominion by that date.

To apprise the Maharaja of Kashmir of the risk he was taking by his indecision, Lord Mountbatten visited Kashmir on 19 June 1947 and stayed there for four days. He found the Maharaja elusive, and returned to New Delhi without having had an opportunity for a discussion.

Mahatma Gandhi who had been watching political developments in the State, paid a short visit to Srinagar in early August. He met the Maharaja and impressed on him the desirability of acceding to the demand of the people for a constitutional government, but without any concrete results.

It was in these circumstances that the Maharaja sought from both the Dominions a standstill agreement to come into force on 15 August 1947. An agreement was arrived at with Pakistan with regard to the State's communications, supplies and post office and telegraphic arrangements.

The Government of India, however, telegraphed to the Maharaja to come to Delhi personally or send a minister duly authorised to negotiate a standstill agreement.

Meanwhile, Sheikh Abdullah and most of his colleagues were released from jail on 29 September. Immediately the released National Conference leaders appealed to Pakistan not to precipitate matters, but give them time to weigh the issue of accession.

Before the Prime Minister of the State could visit Delhi to discuss the standstill agreement, Kashmir was invaded on 22 October by tribesmen from the North-West Frontier Province of West Pakistan with the connivance or active support of Pakistan's rulers. This crisis made the Maharaja listen to the advice of Indian leaders to promote cordial relations between the ruler and his Muslim subjects.

Abdullah flew to New Delhi to appeal to the Indian Cabinet to despatch armed forces to help Kashmiris repel the invaders. The Maharaja, alarmed by the early successes of the invaders and the devastation caused by them, appealed to India on 24 October for military help.

A meeting of the Defence Committee, held in New Delhi on 25 October under the chairmanship of Lord Mountbatten, considered the Maharaja's request for supply of arms and ammunition.

The Cabinet felt that it could not send troops to Kashmir unless the State acceded to India.

V. P. Menon, Secretary of the States Ministry, was sent to Srinagar (26 October) to explain the position to the Maharaja. Impressed by the gravity of the situation, Menon felt that unless India could help immediately, the valley would be lost. As a result of Menon's assessment of the situation, the Maharaja left Srinagar with his wife and son.

The Defence Committee met again and decided to accept the instrument of accession if executed by the ruler. Menon flew back to Srinagar, and returned with the instrument of accession duly executed and a request for troops, arms and ammunition.

When on 26 October 1947 the Maharaja signed the instrument of accession and the Governor-General of India accepted it, the defence of Kashmir, now an integral part of the country, became the responsibility of the Government of India.

The first contingent of Indian troops landed in Srinagar on October 27. The invaders were already in Baramulla. Thirty-five miles of tarmac road lay between them and Srinagar.

As subsequent events showed, Indian troops arrived barely in time. The invasion was halted and Srinagar saved from loot and destruction.

Frustrated in his designs by the State's accession to India and the prompt arrival of Indian troops to repel the invaders, Jinnah ordered the Commander-in-Chief of his forces, General Sir Douglas Gracey, to march Pakistan troops into Kashmir. Realising that this would mean a war between the two Dominions involving British personnel employed in their defence forces, the General sought the intervention of Marshal Auchinleck, the Supreme Commander administering the partition of the Indian Army. Auchinleck flew to Lahore at the express request of General Gracey and succeeded in persuading Jinnah to cancel his order.

The National Conference leaders rejected the possibility of Kashmir's accession to Pakistan because Pakistan had committed an act of aggression against the State and also because the principle on which it was brought into existence and its social and economic structure ran counter to the ideals and objectives which the popular leaders of the State had set for themselves.

A striking illustration of the policy to set one religion against another is provided by a letter Sir Francis Mudie, Governor of West Punjab, wrote to Jinnah, the Governor-General of Pakistan. Mudie wrote: "I am telling everyone that I don't care how the

Sikhs get across the border; the great thing is to get rid of them as soon as possible. There is still little sign of 3 lakhs (300,000) Sikhs in Lyallpur moving, but in the end they too will have to go."

Meanwhile Sardar Patel had been in regular correspondence with Maharaja Hari Singh on the political and constitutional problems of the State. The decision on accession to India on which Sardar's letters throw a flood of light, was endorsed at a special convention of the National Conference held in October 1948. Its resolution ran: "This convention has given its serious thought to the question of accession and has examined it in all its aspects and detail. After mature consideration of the issue it is definitely of the opinion that Kashmir, with its unflinching faith in New Kashmir and with the very advanced outlook of the people on the fundamental issues, cannot find its proper place in Pakistan, which today has become the main citadel of reaction and decaying feudalism. . . . Pakistan with its basis in the two-nation theory and its persistence in the perpetuation of religious distinctions does not and cannot accommodate a programme and an outlook which is the very negation of its basis and conceptions of social justice."

Jammu and Kashmir thus became an integral part of India in October 1947, and in their capacity as Indian nationals, the representatives of the State took part in the deliberations of the Constituent Assembly of India. The Constitution framed by the Assembly conferred a special status on the State and gave it the right to frame its own constitution. The setting up of an Assembly for this purpose was envisaged in the Maharaja's Proclamation of 5 March 1948 whereby power was transferred to the representatives of the people. Moreover, the protracted proceedings in the Security Council showed that no democratic solution would be found by this world body for the issues arising from Pakistan's aggression in Kashmir. Consequently, the National Conference felt the time had arrived for the State Government to take steps to end the political uncertainty in the State. Accordingly, the General Council of the National Conference issued in October 1950 a mandate to the party to convoke a Constituent Assembly to decide on all vital issues concerning the future of the State.

The resolution said: "The indecision and unrealistic procedure adopted so far has condemned the people of the State to a life of agonising uncertainty. The All Jammu and Kashmir National Conference is gravely concerned and cannot any longer afford

to ignore the perpetuation of these conditions of doubt and frustration. In the opinion of the General Council, therefore, the time has come when the initiative must be recognised [resumed] by the people to put an end to this indeterminate state of drift and indecision."

The resolution added: "The General Council recommends to the Supreme National Executive of the people to take immediate steps for convening a Constituent Assembly based upon adult suffrage and embracing all sections of the people and all the constituents of the State for the purpose of determining the future shape and affiliations of the State of Jammu and Kashmir. In this sovereign Assembly, embodying the supreme will of the people of the State, we shall give ourselves and our children a constitution worthy of the traditions of our freedom struggle and in accordance with the principles of New Kashmir."

Early in 1953, there was a change in the attitude of Abdullah towards the position of the State in the Indian Union. This created a rift in his Cabinet and on 8 August, Abdullah was removed from the Prime Ministership by the Sadr-i-Riyasat. The next day, he was arrested at Gulmarg. Thus far Abdullah, Bakshi Ghulam Mohammad and G. M. Sadiq, President of the Constituent Assembly of Jammu and Kashmir, had constituted the political leadership of the National Conference. After Abdullah's incarceration Bakshi, the Deputy Prime Minister, became Prime Minister, and held that position for a decade. Mr. G. M. Sadiq has been Prime Minister since February 1964.

The Constituent Assembly of Jammu and Kashmir addressed itself to four tasks. First, to devise a constitution for the future governance of the State. Secondly, to decide the future of the ruling dynasty. Thirdly, to carry out land reforms and the basis of compensation to landlords divested of their estates. Finally, to declare its reasoned conclusions on the accession of the State to the Indian Union.

The Constituent Assembly ratified unanimously, on 6 February 1954, the State's accession to India in October 1947. This decision ended the feeling of uncertainty in the State. The recommendations of the Assembly were incorporated in the Indian Constitution through a Presidential Order issued on 14 May, 1954, thereby enabling the State to secure the assistance of the Government of India in economic development and other spheres of its choice.

BACKGROUND TO OPENING CHAPTER

Following is a chronicle of events relating to Kashmir in May and June 1946, culminating in Jawaharlal Nehru's entry into Kashmir, in spite of a prohibitory order, and his arrest. This narrative is made up of extracts from the Hindustan Times, New Delhi, and the Hindu, Madras, of that period. It opens with the full text of a statement by Nehru in New Delhi on 26 May. The statement reads:

Both as President of the All-India States Peoples' Conference and as a Kashmiri, I have been greatly troubled by the developments in Kashmir. I have said little about them so far because I wanted some facts. My first impulse was to go to Kashmir, but I refrained from doing so till I had more information. I knew that the kind of messages that we have been getting through Press agencies are completely one-sided and unreliable. These Press agencies only send out messages approved by the State authorities. I have now had a vivid account of the happenings in Kashmir from Bakshi Ghulam Mohammad and Dwarkanath Kachru, who have recently arrived here. They will be issuing statements themselves and so I need not repeat what they are going to say.

Hostility to Popular Movement

Many questions have been put to me about the new orientation given to the popular agitation in Kashmir with the demand for Quit Kashmir based on the Amritsar Treaty. It has been and is the policy of the All-India States Peoples' Conference to demand full responsible government in all the States under the aegis of the ruler, who is to act as a constitutional head of the State. That has also been the policy of the Kashmir National Conference, of which Sheikh Mohammed Abdullah is the President and leader. During the last few months, however, the State authorities have been pursuing a policy of direct hostility to the popular movement in Kashmir and trying to disrupt it by various undesirable methods, including encouragement of the communal issue. The position of the popular minister Mirza Afzal Beg became impossible and he had to resign. Subsequently, in defiance of their own rules, they appointed another person who was till then also a member of the Kashmir National Conference, as minister. This was the result of an intrigue about which no one

knows. There was considerable resentment at these tactics of the State authorities and feeling against them grew. Evidently they were bent upon creating trouble and many weeks ago they started bringing in the State army to the Valley and distributing it at various strategic points.

Some weeks ago a committee of the National Conference sent a memorandum to the British Cabinet Delegation raising the question of the Amritsar Treaty and demanding that this treaty be abrogated and Kashmir be ruled by the people of the State. This new policy reflected the growing tension in the State and the rising temper of the people against the State administration. There were many charges also of corruption and nepotism in the State administration. The new policy had not been endorsed by the National Conference or its executive. Normally it would have been considered by their executive on the 26th of this month. But meanwhile events marched ahead. Sheikh Mohammed Abdullah spoke publicly about this policy. Personally, I think that it was unfortunate that a marked variation in the policy both of the All-India States Peoples' Conference as well as of the Kashmir National Conference should have been made without full consideration of the respective bodies. But I recognise the feeling which gave rise to the policy in Kashmir and the total ineptitude of the State authorities which gave rise to that feeling.

States Peoples' Conference Policy

I should like to make it clear that the policy of the All-India States Peoples' Conference remains what it was, that of responsible government under the aegis of the rulers. Indeed, no one can change it except the Conference itself, but events in Kashmir, as also happenings elsewhere in the states, are repeatedly bringing this issue before the people of the states and it is possible that unless quick changes towards responsible government take place in the states the rulers may no longer be welcome even as constitutional heads.

There is a great deal of talk of dynastic rights and privileges, but no dynasty or individual can claim to override the fundamental rights of the people. If the rulers remain, they can only do so by the goodwill and desire of their own people and not by compulsion of external or any other authority. Sovereignty will have to reside in the people and what follows will thus necessarily be according to the wishes of the people. I am not interested in the legal implications of the Amritsar Treaty or any other treaty. I am interested primarily in the good of the people

and their right to decide for themselves what their government should be.

While, therefore, I think it regrettable that the issue of the ruler continuing or not was raised in Kashmir at this stage without reference to the organisations concerned, I would make it clear that it is open to any individual or group to raise that issue if it chooses to do so on its own responsibility. If this is done in a peaceful way, no state has a right to suppress it.

Deliberate Attempt to Humiliate It

What happened in Kashmir clearly demonstrates the desire of the State authorities to avail themselves of any pretext to crush the popular movement. I had requested Sheikh Mohammed Abdullah to come to Delhi for consultation. At a public meeting in Srinagar, he announced this fact and said that he was going to Delhi within a few days. He further directed that no public meeting or agitation should take place during his absence from Kashmir. It was clear that he wished to discuss the whole situation with me before taking any other step. Three days later he was on his way from Srinagar to Rawalpindi when he was arrested, and about the same time a large number of his colleagues, both Muslim and Hindu, were arrested at various places in Kashmir. The whole of the Valley was handed over to military administration. The police, being Kashmiris, were withdrawn. A reign of terrorism and frightfulness then began. Kashmir has practically been cut off from the outside world since then and martial law prevails. There have been conflicts with crowds and firing on numerous occasions. My information is that far more people than officially admitted have been killed. A much larger number who were wounded were sent to jails instead of hospitals.

Srinagar is almost a city of the dead where movement is difficult and a large number of people are practically interned in their own houses apart from the many hundred who have been put in prison. Clashes occur daily and even women have been shot down. But what is far worse is the deliberate attempt, reminiscent of the Martial Law days in the Punjab in 1919, to humiliate human beings. I understand that people are made to crawl in some of the streets, that sometimes they are made to take off their turbans to clear the streets and pavements, that they are made to shout, at the point of the bayonet, "Maharaj-ki-Jai." Dead bodies are not handed to the relatives for burial according to religious rites, but are soaked in petrol and burnt. The mosques, including their inner shrines, have been occupied by the

military. A wall of the Jama Masjid of Srinagar has been knocked down to allow passage way for military lorries. A dangerous feature of the situation is the deliberate attempt to foment communal trouble.

All this and very much more is happening in Kashmir today. It passes one's comprehension how any Indian officials should behave in this barbarous and inhuman way to their fellow countrymen, but, humanity apart, surely there could be no more effective method to make the position of the ruler intolerable to his people. The military forces under their British officers may for the moment succeed in shooting and killing and overawing the people of Kashmir. How long will they do that and what will be the results? Are they going to make the people loyal to the Maharaja at the point of the bayonet? That is not the way human beings function and that certainly is not the way Kashmir is going to function.

What part the Maharaja has in this sorry business I do not know, but undoubtedly he will have to suffer for the policy of his administration. In any event, the Ministers of the Maharaja must shoulder this responsibility and they will have to answer for this before not only the people of Kashmir but public opinion in India. What again is the part of the Resident and the Political Department in this business? They too will have to make it clear where they stand in this matter.

Whatever the rights and wrongs of any policy there are certain limits beyond which no Government dare go except at its peril. The Kashmir Government has gone beyond these limits in its desire to crush a popular movement which is firmly established in the hearts of the Kashmiris. Everyone who knows Kashmir knows also the position of Sheikh Mohammed Abdullah there. He is the Sher-e-Kashmir, beloved by the people in the remotest valleys of Kashmir. Numerous legends and popular songs have grown around his personality. He has been and is one of my most valued colleagues in the States peoples' movement, whose advice has been sought in all important matters. Does anybody think that we are going to desert him or his comrades in Kashmir because the State authorities have got a few guns at their disposal? We shall stand by the people of Kashmir and their leaders in this heavy trial that they are going through. If they have erred in any matter, we shall tell them so frankly, but for the moment their blood is being shed in that lovely and fertile valley and all talk of legal notices is quibbling. The fate of nations, when passions are aroused, is not decided by the lawyer's arguments.

A Bad Sign

Kashmir by itself is important, but this issue obviously affects all the States in India and it is for all of them to consider its significance, more specially at this time when we are supposed to be hammering out the future of India. It is a bad sign at this particular moment for the blood of a people to be shed and for State authorities to display their military might in repressing their own people. The talks that we are having about India's future become pale and shadowy before this grim reality.

Things have gone far in Kashmir, perhaps too far already. Yet they might grow worse. It is up to everyone concerned with Kashmir or with the states generally to try his utmost to cry halt to this sorrow. The Kashmir State authorities should also give thought to the inevitable consequences of their actions. I have postponed my visit to Kashmir for the present because I was not quite sure that I could render effective help at this stage. I want to help as far as I can in ending this terrible bitter conflict and the moment I feel that I can be of such help I shall go. Meanwhile, I would appeal to all concerned, and specially the newspapers, to avoid giving a communal turn to what is happening in Kashmir. I have noticed with deep regret some highly intemperate articles in the Lahore Press. It has been the policy of the State authorities to encourage communal troubles. We must not fall into this trap. To the State authorities, I would say that their actions are bringing grave discredit to their name and no government can live with that disgrace attached to it.

They would still remember Amritsar and Jallianwala Bagh. Are we to have yet another gruesome memory to pursue us in the days to come? Let there be an end of all this and a calm consideration of the issues at stake. They will require all the wisdom and forbearance that we may possess. (The Hindu, Madras, 27 May)

SRINAGAR, 1 June — The State authorities are considering what action to take if Pandit Nehru decides to visit Kashmir. It is also learnt that Pandit Nehru has asked the State authorities for facilities for the defence of Sheikh Abdullah and others. The Premier of Kashmir, Mr Kak, refused to answer a question whether the State administration would concede Pandit Nehru's demand for facilities to meet Sheikh Abdullah and other National Conference leaders in detention. He also refused to say whether the State would try to stop Pandit Nehru if he comes. As to Pandit Nehru's demand for an enquiry commission, Mr Kak

said only the ruler could demand or order such an enquiry. The State authorities feel that Pandit Nehru by giving currency to what they consider exaggerated accounts of the happenings in Kashmir has strengthened the loyalty of the Maharaja's faithful subjects. (The Hindustan Times)

1 June — Mr. Nehru in his closing speech at the All-India States Peoples' Conference, which concluded tonight, said that the situation in Kashmir should improve and that it was only possible if the State authorities withdrew their repressive policy. Mr. Nehru felt that there were some tactical mistakes in the Kashmir movement which gave a chance to the authorities to blame the people. In his opinion, movements in states should not be started unless people were sufficiently strong. At the same time he said people should not tolerate for a single moment any attack on their liberty. "If we want to get rid of our rulers we have to oppose them with full force. We should prepare fully in order to launch a movement." (The Hindu)

3 June — In accordance with Pandit Nehru's instructions, Kashmir Day was observed in Srinagar yesterday. (The Hindustan Times)

CALCUTTA, 4 June — Mr. Ashutosh Lahiri, General Secretary of the All-India Hindu Mahasabha, in the course of a Press statement says:

Dr. Syama Prasad Mookerjee, President, All India Hindu Mahasabha, who has been suddenly taken ill, has received a large number of telegrams from Kashmir, expressing strong resentment against the statement of Pandit Nehru and characterising it as a distortion of facts, calculated to encourage the rebellious elements who are determined to overthrow the authority of the State and set up a Pakistan regime at a time when the Cabinet Mission's proposals have paved the way for the establishment of Pakistan in the north-western zone of India.

Mr. Abdullah's organised attempts, they alleged, are deliberately calculated to drag Kashmir State ultimately into the north-western Pakistan zone and they all express alarm at Pandit Nehru's open support to Mr. Abdullah. It is not possible for us, however, to express a definite opinion at this stage.

The All India Hindu Mahasabha has deputed a representative to Kashmir with a view to studying the situation there. The All India Working Committee and the All India Committee of the Hindu Mahasabha are meeting at New Delhi on the 14th, 15th and 16th next, when prominent Hindu leaders of Kashmir have

been invited to attend. We shall be in a position to make our attitude clear after hearing the representatives of Kashmir at Delhi. In the meantime, I would ask the Hindus of Kashmir to help us in coming to a correct decision by placing all available facts at our disposal. (Associated Press of India report published in the Hindu of 6 June.)

NEW DELHI, 8 June—A deputation from Kashmir met Pandit Nehru, President, All-India States Peoples' Conference, on 7 June for two hours. The purpose of the deputation was to induce Pandit Nehru to issue a statement correcting certain allegations made against the Kak Government's handling of the situation following the arrest of Sheikh Abdullah. The deputation was anxious to secure such correction in order to prevent a deterioration in the communal situation.

According to reports, the State Government's move is designed to explore possible chances of a truce between the Government and the National Conference. (The Hindustan Times)

NAINITAL, 7 June—Pandit Nehru will visit Kashmir after the meeting of the Congress Working Committee, it is reliably learnt. (Hindustan Times)

NEW DELHI, 8 June—Addressing the General Council of the All-India States Peoples' Conference this afternoon, Sardar Vallabhbhai Patel advised states' subjects not to get involved in isolated direct actions in states at the present moment but to be patient and carry on the agitation peacefully for responsible government. The time had arrived, Sardar Patel added, when it was necessary for the Indian people to deal with the states' problem on the basis of a collective approach to the Princes as a whole and not to fritter away their energies in isolated battles. Over 120 members of the Council representing states all over India attended the meeting.

Sardar Patel said that his experience for many years had been that the British always prevented Congress intercession in Indian states to bring about any kind of settlement between the ruler and the ruled. The British had always sided with the rulers in the suppression of the people's rights. The Congress realised that the states' problem could not be solved unless British imperialism was eliminated from India, and today there were many rulers who wished every success for the Congress in its struggle for the achievement of complete freedom. In the success of the Congress they saw freedom for themselves. There were other rulers who,

while trying to be free themselves, kept their people enslaved, but they were also changing.

The problem in the Indian states, Sardar Patel continued, was difficult in that the people there had to fight two forces, one, their own autocratic rulers, and the other the British authority that backed those rulers. It was thus clear that there could be no deliverance for subjects in the states unless the paramountcy which protected the rulers was removed. "We do not want to start any movement in the states," Sardar Patel said. He added: "We are not to make settlement with individual states, but with the entire princely order at one time. There are so many of them and they cannot be tackled individually."

Sovereignty, Sardar Patel said, should vest in the people and not with individual rulers. He believed the Princes were realising the change that was sweeping forward and would adapt themselves to the new order that was coming. In spite of much repression in many states, he was not aware of any instance in which the subjects rose in revolt to do away with the rulers. In a free India, Sardar Patel was sure, Princes would be guided by a real spirit of patriotism and love of their subjects. But that change could come only if India was free and the British quit. (The Hindu)

NEW DELHI, 8 June—Pandit Jawaharlal Nehru, addressing the General Council of the All-India States Peoples' Conference this afternoon, said:

. . . I have referred to Kashmir. Many alarming reports have come to us about recent events there. Some of them have been contradicted. I have been trying to find out the truth of what happened and if I find that I have been responsible for any wrong statement, I shall certainly correct it. In such matters, there is both exaggeration on the one side and an attempt to hide and distort what is happening, on the other. It is difficult to find the golden mean. Obviously, it is necessary even in the interest of the State administration to have an impartial inquiry into these events. But an inquiry is not enough when from day to day, complaint takes place. Our colleague and comrade, the Vice-President of the All-India States Peoples' Conference, Sheikh Mohammed Abdullah, is in prison with a large number of his co-workers, and it is stated that there are going to be trials. Obviously, there will be no peace in Kashmir if trials and convictions of popular leaders continue. The British Government has repeatedly played that game and failed. The Kashmir Government is hardly likely

to succeed. To Sheikh Abdullah and the people of Kashmir, we send our greetings. . . . (The Hindu)

NEW DELHI, 11 June—In a resolution on Kashmir, the standing committee of the All-India States Peoples' Conference today declares that in Kashmir as in other states in India "there can be no solution of the problems that face the people without the achievement of freedom and full responsible government" and that, "in order to consider the changes that should be brought about forthwith for this purpose it is necessary that the present conflict in Kashmir should be ended and normal conditions restored."

The resolution trusts that the State authorities will put an end to their "policy of repression" and appeals to the people of Kashmir also to help in creating a peaceful atmosphere for the consideration of the grave problems that face them.

"Between the people of Kashmir and the people of other states, there is the solidarity of common interest and common objective and it will be their privilege to share common perils. It is the duty of the States Peoples' Conference to help in every way possible the peoples' movement in Kashmir. The President is authorised to take such steps as he may consider necessary to deal with the situation created in Kashmir."

After commenting on the situation in the State, the resolution proceeds: "In accordance with the policy of the All-India States Peoples' Conference, as well as of the Kashmir National Conference, the objective aimed at in the State is full responsible government under the aegis of the ruler. So long as this is not altered formally and constitutionally, it remains. A demand for the abrogation of the old treaties does not involve a departure from this policy. The States Peoples' Conference has for many years past demanded the abrogation of these virtually unilateral treaties which in fact have no force now. Responsible government means that sovereignty rests with the people and it is for the people to decide later as to what forms of government they should have.

"The General Council thinks that in the present circumstances, no occasion has arisen for any deviation from this policy. They are of the opinion, therefore, that states peoples' organisations should continue to adhere to that objective and leave the future of the states to be decided by the people through the responsible government that must necessarily come into being.

"The General Council have noted with deep regret the attempt being made in various quarters to raise communal issues in Kashmir at this critical moment. Any such attempt is obviously injurious

to the cause of the people as a whole and more especially to the cause of the minorities. The States Peoples' Conference and its affiliated bodies stand for the achievement of freedom by all the people of the states and the establishment of fundamental rights for everyone, regardless of creed or religion. Any person who brings in communalism in a popular movement and a popular struggle does injury to the peoples' cause." (The Hindu)

NEW DELHI, 11 June—Pandit Jawaharlal Nehru, in a statement, urges the Kashmir Government to release Sheikh Abdullah and his colleagues and thus remove the root cause of the troubles. He says:

The Kashmir authorities denied almost totally many of the statements and events that I had made previously. I have now considered carefully a large number of reports coming in the Press as well as from individuals and eye-witnesses in Kashmir. I have also met deputations, some officially inspired and representing the official viewpoint, others representing another viewpoint. Entirely contradictory reports were made to me as to the facts that had happened. Obviously, a searching inquiry is necessary in order to reach the truth. For my part, I believe that, during the first days following the arrest of Sheikh Abdullah, the military behaved in a very bad manner and many of the allegations made against them are true or have a strong basis of fact. Later, much of this was stopped by the Government. It is clear that one cannot hold the Government directly responsible for every act of the soldiery. What the Government is directly responsible for is the use of military on this scale. When this is done, other consequences normally follow. Two incidents I mentioned. I should like to correct. I have no present information which can substantiate them and I regret that I gave publicity to these two incidents without sufficient proof. These two allegations are the burning of bodies of persons killed and the breaking down of a compound wall of the Jama Masjid. Very probably the deaths due to firing were much greater than those admitted in the official communique. How all these bodies were disposed of I cannot say without much greater proof than I possess. As regards the allegation about the wall of the Jama Masjid it appears that there is a wooden gate and a military lorry passing through accidentally dislodged some bricks of a column. This may have given rise to the story. Anyway, I am sorry that I stated something which was not correct. . . . . (The Hindu)

SRINAGAR, 17 June—Mr Nehru had sent a telegram to the Maharaja of Kashmir asking for permission to visit Kashmir to

secure the release of Sheikh Abdullah. It is reliably learnt that the Maharaja has replied that no useful purpose will be served by Mr Nehru's visit to Kashmir at this stage. (The Hindu)

NEW DELHI, 18 June—Pandit Nehru, it is learnt, will leave for Kashmir by air tomorrow. He hopes to complete his visit in two days. He will be present in the court on Thursday when the Abdullah sedition case will be resumed. (API)

LAHORE, 19 June—"The purpose of my visit to Kashmir is threefold," said Mr Nehru when he passed through Lahore this morning by air on his way to Srinagar.

Replying to questions by reporters, Mr Nehru said: "I am going to Kashmir firstly to arrange for the defence of Abdullah; secondly, to see things for myself, although my visit to Srinagar will be a brief one; and thirdly, to do all I can to put an end to the complications arising from the policy of the State Government."

Mr Nehru said there can be no peace unless Abdullah was released. (The Hindu)

KOHALA, 19 June—An order prohibiting his entry into Kashmir territory was served on Mr Nehru today at 2.45 p.m. when he crossed Kohala Bridge. The order was a personal one and did not apply to the rest of the party which included Asaf Ali, Dewan Chamanlal, Baldev Sahai and Mohammad Yunus.

Mr. Nehru refused to obey the order. He and Chamanlal received slight bayonet injuries when they tried to push back the sentries armed with bayonets who tried to bar their way into State territory after Nehru had declared that he would defy the State's ban on his entry.

Mr Nehru and the other leaders are at present at village Domel, about 50 miles inside the State territory.

While the District Magistrate of Srinagar was in communication with the State authorities by wireless on the situation that had arisen owing to Mr Nehru's defiance of the ban, Nehru and party walked forward on Srinagar road about three and a half miles followed by a small crowd from British India. Nehru and party were again stopped near about the 4th milestone by the State police and military. Later, Nehru's car came up from Kohala and he and his companions boarded the car and drove as far as Domel without further incident. (The Hindu)

SRINAGAR, 20 June—Mr Nehru was arrested at 9.30 this morning at Domel following his defiance of the ban on his entry into Kashmir. Nehru is lodged in the dak bungalow and the State military is guarding the place.

"It is not the intention of the Kashmir Government to detain Mr Nehru. He is at liberty to return to British India whenever he wishes to do so," says the Kashmir Government in a Press note explaining the circumstances leading to Mr Nehru's arrest.

It is believed here that Mr Nehru will be externed from Domel within the next 24 hours.

The DM, [District Magistrate] Rai Bahadur Maharaj Kishan Dar, is a close relation of Mr Nehru.

Mr R. Powell, I.G. of Police, left Srinagar early this morning with warrants of Mr Nehru's arrest. It is stated in official quarters that at the time of his arrest Mr Nehru was given the choice of returning to British India as a free man or being arrested if he persisted in proceeding to Srinagar. He is said to have chosen the latter course and was placed under arrest. It is learnt the Kashmir Government has not yet decided whether to intern him. A decision is expected to be taken today.

It is learned from high official quarters in Srinagar that the Viceroy advised Mr Nehru not to go to Kashmir. (The Hindu)

NEW DELHI, 21 June—Maulana Azad wired to Mr Nehru asking him to return to Delhi today for the Congress Working Committee meeting. In a telegram to the Maharaja of Kashmir, Maulana Azad has requested a postponement of Abdullah's trial to facilitate Mr Nehru's early return to Delhi, where he said important decisions were still pending.

The Maharaja has replied that there is nothing to prevent Mr Nehru from returning whenever he wishes to do so. There is no intention of detaining him. The Maharaja, however, expressed inability to issue orders for a postponement of the case against Abdullah as the case was already in the hands of an independent judicial tribunal. The Maharaja assured Maulana Azad that his Government would not oppose grant by the court of any reasonable postponement requested by the defence.

In view of this development, it is thought possible that Mr Nehru will return to Delhi tomorrow.

Latest reports here show that Mr Nehru has been brought by the Kashmir Government to the dak bungalow at Uri, 60 miles from Srinagar. (The Hindu)

SRINAGAR, 21 June—Mr Kak, Kashmir Prime Minister, told a correspondent today that if Mr Nehru decides the Kashmir Government would provide an aeroplane for him to travel to

Delhi. He made it clear once again that the Kashmir Government had no intention of detaining Mr Nehru.

Mr Nehru, it is stated, has declined to indicate what he proposes to do. (The Hindu)

RAWALPINDI, 22 June—Mr Nehru arrived at Chaklala airport near Pindi at 9.40 p.m. by car from Uri and was received by RAF officers and Congress leaders.

In an interview, Mr Nehru said: "I received an urgent summons from the Congress President this afternoon at Uri in which I was told that the CWC desired my presence immediately as various important matters were awaiting decision. I was told I could return to Kashmir later. In view of the direction of the Congress President and the Congress Working Committee I decided to return to Delhi. (The Hindu)

NEW DELHI, 23 June—Mr Nehru in a chat with reporters this morning said he was not injured either by the police or the military. On the whole he had no complaint against the police or the military.

Criticising the State's order, Mr Nehru said: "I do not consider myself an outsider in any state. The whole of India is my home and I claim the right to go to any part. I am not sorry for what has happened if it makes the rulers and others think hard of the new condition of India and her people. (The Hindu)

NEW DELHI, 25 June—Mr Nehru told Pressmen he may go to Kashmir by the end of this month or beginning of next month. (The Hindu)

SARDAR PATEL'S CORRESPONDENCE

CHAPTER I

NEHRU'S VISIT TO KASHMIR

1

TELEGRAM

Jammu
4 June 1946

Sardar Patel
Bombay

JAMMU KASHMIR RAJYA HINDU SABHA RESENTS PANDIT NEHRU'S MISSTATEMENTS ON KASHMIR BASED ON FALSE ONESIDED PROPAGANDA THREAT OF JATHAS[1] WHOLLY UNWARRANTED.

DWARKANATH GENERAL SECRETARY

2

TELEGRAM

Srinagar
4 June 1946

Sardar Patel
Bombay

THE STATEMENTS OF PANDIT JAWAHARLAL NEHRU CONCERNING KASHMIR AFFAIRS BEING ENTIRELY UNVERIFIED AND TENDENTIOUS ARE UNIVERSALLY CONDEMNED AND RESENTED BY HINDUS OF KASHMIR. BY ENCOURAGING SHEIKH ABDULLAH'S[2] FASCIST AND COMMUNAL PROGRAMME HE IS DOING GREATEST DISSERVICE TO THE PEOPLE OF KASHMIR. HIS UNWARRANTED AND WRONG STATEMENTS ABOUT FACTS AND DEMOLISHING MOSQUE INFLAME MUSLIMS AGAINST HINDUS. SHEIKH ABDULLAH'S AGITATION SUPPORTED BY PANDIT JAWAHARLAL AGAINST

1 An organised group of demonstrators
2 Leader of J & K National Conference

OUR BELOVED MAHARAJA[1] WILL BE RESISTED TO THE LAST DROP OF OUR BLOOD. KINDLY INTERVENE.

ALL-STATE KASHMIRI PANDIT CONFERENCE
RAINJWARI DISTRICT
SRINAGAR

3

New Delhi
10 June 1946

Dear Friend,

I have received your letter of 26 May along with its enclosures and I thank you for having supplied to me all this information about the Kashmir agitation and its background. You must have seen my speech[2] published in yesterday's Hindustan Times, which was delivered at the States Peoples' Council[3] meeting where I was invited and the portion referring to Kashmir in the speech has given a different turn to the one that was prevailing before and I trust that things will be straightened in such a manner as to give satisfaction to all concerned.

Yours sincerely,
Vallabhbhai Patel

Shri Janki Nath Bazaz
C/o Tribune Office
Lahore

4

New Delhi
16 June 1946

Dear Friend,

I have received your letter of the 8th inst. You have given much of the past history of Kashmir, which has been very useful in understanding the background of the present whole unfortunate episode. I have done my best to set matters right. You must have seen that Panditji[4] has himself frankly withdrawn some of the

[1] Maharaja Hari Singh of J & K

[2] See Sardar's speech under "Developments in Kashmir" following prologue.

[3] General Council of All-India States Peoples' Conference

[4] Jawaharlal Nehru, President, All-India States Peoples' Conference whose object was to agitate for constitutional reforms in Indian States with a view to achieving responsible government under the aegis of their rulers

misstatements that were made by him on false information being supplied to him. The resolution[1] passed by the All-India States Peoples' Conference under his presidentship has also been such as would remove tension, clear the atmosphere and bring about an honourable settlement. I realise the difficulties and hardships of a small community like yours in Kashmir. The question of minorities in India has become complicated and the Hindu-Muslim question particularly requires careful as well as tactful handling. Political agitation should, as far as possible, be kept apart from communal questions. The two should not be mixed up. How far Sheikh Abdullah has erred in his present movement and whether the error, if any, was bonafide or not, requires investigation. The excesses committed by the military and police under orders of the State, if any, may also require investigation. Such post-mortem examination of political upheavals or communal troubles are not always safe. I understand that Pandit Jawaharlal Nehru is himself coming there as a messenger of peace to bring about honourable settlement of this vexed question. After all, he is also a Hindu and that a Kashmiri Hindu, and he is one of our foremost patriots and one of the greatest leaders of modern India. He is, as all human beings are, liable to err. But all his actions are governed by considerations of highest patriotism. Therefore you need not be afraid of him or his actions. Let us hope this unfortunate trouble in Kashmir will end soon and it will leave no bitterness behind.

Yours sincerely,
Vallabhbhai Patel

Pandit Jiyalal Kaul Jalali[2]
Srinagar

5

New Delhi
19 June 1946

Dear Friend,

I have received your letter of the 15th inst. The situation in Kashmir is difficult and delicate and Pandit Nehru himself has realised that some of his early statements were not based on accurate information, and hence he has not hesitated to rectify the errors publicly.

1 See "Developments in Kashmir" following prologue.
2 Retired Assistant Accountant General, J & K

You know, he is a Kashmiri Pandit and he would naturally feel for them more than any other leader would do. But by nature and training, he is a democrat. His sympathies are always with the underdog. In Kashmir, there is Muslim majority and a large majority of them are comparatively very poor. The Kashmiri Pandits and the Hindus form a very small proportion of the population, and as they are comparatively better off, the poorer majority which is getting conscious, is trying to assert itself and the conflict of interests is creating a situation in which the minority finds itself in an unenviable position and lives in a state of perpetual insecurity and fear, resulting in demoralisation. The State being a Hindu State, situated in Muslim surroundings, finds itself in a very delicate and difficult position to take strong action against revolt or lawlessness, as such action at once disturbs the communal atmosphere outside, apart from its repercussions inside the State. The extreme poverty and illiteracy of the masses present an unpleasant picture to a foreign visitor and the State is generally represented outside as extremely irresponsible and unprogressive.

Sheikh Abdullah is supposed to be very popular and his association with Pandit Nehru has been regarded as sufficient guarantee of his being against any separatist movement. Evidently, his present stand appears to be capable of double interpretation and perhaps inconsistent with the policy of the States Peoples' Conference and therefore contrary to Pandit Nehru's views on this matter.

Pandit Nehru has left for Kashmir this morning and it is hoped that this unfortunate and regrettable movement will end in an honourable settlement and restore peace and harmony in Kashmir.

Yours sincerely,
Vallabhbhai Patel

Shri C. Parmeswaram
C/o Kashmir Metal Mart
Hari Singh High St.
Srinagar
Kashmir

6

TELEGRAM

Colombo
20 June 1946

Vallabhbhai Patel
Bombay

WE GREATLY RESENT THE ARREST[1] OF PANDIT NEHRU IN KASHMIR AND PROFOUNDLY REGRET YOUR SILENCE OVER THIS MATTER. WE URGE UPON THE CONGRESS TO TAKE IMMEDIATE STEPS TO CRUSH THE ARROGANT AUTOCRATIC SPIRIT OF KASHMIR GOVERNMENT. WE ARE PREPARED FOR ANY SACRIFICE AND EVENTUALITY AND READY TO START ON THE ORDER FROM CONGRESS HIGH COMMAND. AWAITING REPLY.

ALL CEYLON NETAJI VALIBAR SANGAM
CEYLON

7

New Delhi
25 June 1946

Dear Friend,

I have received your telegram of the 20th inst. addressed to Bombay and redirected here. I am surprised to read its contents. You presume to know more about the Kashmir affair from such a long distance than we here know on the spot. You must know that neither the Congress President[2] nor any Congress leader has expressed his opinion on this matter at all. The question of arrest of Pandit Jawaharlal Nehru was also a doubtful affair and we were arranging for his return back immediately. This has already been done and your anxiety about this affair is out of place. About your advice to the Congress to take immediate steps to crush the arrogant and autocratic spirit of the Kashmir Government, I can only say that the whole Working Committee is in session all the while and the Committee has thought fit to express no opinion

1 See "Developments in Kashmir" following prologue.
2 Maulana Abul Kalam Azad

on it nor has Pandit Nehru thought fit to consult the Working Committee about this affair. He has taken action individually as President of the All-India States Peoples' Conference on his own responsibility.

Yours sincerely,
Vallabhbhai Patel

The Secretary
All Ceylon Netaji Valibar Sangam
Colombo

8

TELEGRAM

Shriranbirganj
27 June 1946

Sardar Patel
New Delhi

KASHMIR ATMOSPHERE CALM. KINDLY ADVISE PANDIT JAWAHARLAL NEHRU NOT COME NOW . . .

AZIZUMAN, COOPERATIVE SOCIETIES,
JALKDOOSHAIN NARWARA

9

Srinagar
12 July 1946

Dear Sardar Sahib,

With reference to our conversation[1] on 4 and 5 July I enclose for your information copy of a letter which His Highness [Maharaja of Kashmir] has addressed to Pandit Jawaharlal Nehru. I have sent a copy to Mahatmaji[2] also.

With kind regards,

Yours sincerely,
Ramchandra Kak[3]

1 On the night of 4 July R. C. Kak and K. T. Shah, a professor of Bombay University, called on Sardar Patel in Bombay and talked with him for an hour and a half. Next morning they again visited the Sardar, who was running a temperature. The same night they called on him a third time, and Pyarelal, Mahatma Gandhi's private secretary.

2 Mahatma Gandhi

3 Minister-in-waiting, appointed Prime Minister of the State in 1945; started career as librarian of a college.

ENCLOSURE

Srinagar
11 July 1946

Dear Mr. Nehru,

I write to acknowledge receipt of your letter dated 22 June. Your previous letter of 16 June was delivered to me on the morning of 19 June and I presume that it required no reply as only a few hours later you arrived at Kohala.

The reason why my Government felt it their duty to prevent you from proceeding to Srinagar was that they were convinced, in view of the controversial nature of what you had stated in the Press, in public and in your communications to me, that your coming at that juncture would be certain to result in danger to the public peace.

As you have expressed your intention of coming to Kashmir again as soon as you are free, I suggest that, while in this State, you should confine yourself to work relating to the defence of Mr. Abdullah. For your information I would add that orders are in force in certain parts of the State, including Srinagar, banning demonstrations, meetings and gatherings of more than five persons, for the time being. You will, I am sure, agree that any order passed by a lawfully constituted authority in the State which is considered essential for the maintenance of peace and tranquillity should be respected.

Yours sincerely,
Hari Singh

Pandit Jawaharlal Nehru
New Delhi

10

TELEGRAM

Bombay
19 July 1946

Rai Bahadur Pandit Ramchandra Kak
Prime Minister
Srinagar

SINCE YOUR DEPARTURE WAS ANXIOUSLY AWAITING YOUR LETTER WHICH THOUGH POSTED TWELFTH WAS EVENTUALLY RECEIVED TODAY OWING POSTAL STRIKE. THANKS COMMUNICATING WITH PANDITJI.[1]

VALLABHBHAI

11

EXTRACT

19 July 1946

My dear Jawaharlal,

I am enclosing herewith a copy of a letter received from [Pandit Ramchandra] Kak, Prime Minister of Kashmir. The letter was posted on the 12th from Srinagar, but it was received here only today owing to the postal strike. I was anxiously awaiting his reply. I do not know whether you have received the original letter which the Maharaja [Hari Singh] has sent to you because there is a postal strike over there also. This letter of the Maharaja is, I believe, the joint work of the Political Adviser,[2] the Viceroy [Lord Wavell], the Maharaja and the Nawab of Bhopal.[3] I do not know what is your programme, but as the letter imposes no condition and makes suggestions only I think if you would like to go there there should be no difficulty at all. It is better that you should go there once and see Sheikh [Mohammed] Abdullah personally. We can deal with the general situation later.

1 Jawaharlal Nehru
2 Sir Francis Wylie
3 Chancellor of Chamber of Princes

There is a report in the Press that Maulana [Azad] and you are both going to Srinagar, but I do not know whether the report is true.

Yours sincerely,
Vallabhbhai Patel

Pandit Jawaharlal Nehru
Anand Bhavan
Allahabad

12

TELEGRAM

Bhopal
20 July 1946

Sardar Patel
Bombay

IN REPLY TO PANDIT NEHRU'S LETTER INTIMATING HIS DECISION TO VISIT KASHMIR HAVE WIRED REPLY AS FOLLOWS BEGINS. THANKS YOUR LETTER FOURTEENTH INSTANT WHICH REACHED ME NINETEENTH EVENING. HAVE JUST SEEN IN PAPERS THAT YOU PROPOSE REACHING KASHMIR TWENTYFOURTH INSTANT. OWING POSTAL DELAYS AND THREATENED TELEPHONE AND TELEGRAPH STRIKE A CONSIDERED REPLY AFTER GETTING RELIABLE INFORMATION FROM KASHMIR NOT POSSIBLE AT ONCE. CONSIDERING OUR VERY FRIENDLY DISCUSSIONS IN BHOPAL AND THE PART ALL THE STATES ARE SO WHOLEHEARTEDLY PLAYING IN THE FINAL STAGES OF OUR COUNTRY'S STRUGGLE FOR FREEDOM. ALSO FEARING COMPLICATIONS IMPLICIT IN SITUATION WOULD EARNESTLY REQUEST YOU AS I HAVE ALREADY DONE MAHATMAJI NOT TO TAKE ACTION PROPOSED BY YOU AT THIS CRITICAL JUNCTURE. MAY I AS A FRIEND AGAIN REQUEST YOU TO DEFER YOUR DEPARTURE? I AM SURE BY FURTHER DISCUSSION AND EXCHANGE OF VIEWS WE CAN REACH AMICABLE SOLUTION OF THIS UNFORTUNATE PROBLEM WHICH COULD BE FAIR AND HONOURABLE TO BOTH PARTIES CONCENRNED ENDS.

NAWAB BHOPAL

13

18 Hardings Avenue
New Delhi
20 July 1946

My dear Vallabhbhai,

Thank you for your letter of the 19th which [K. M.] Munshi[1] gave me. On arrival here this morning I received a letter from the Viceroy which was in answer to one I had written to him about my proposed visit to Kashmir. He mentioned that the Maharaja had written to me. As a matter of fact I have not yet received the Maharaja's letter. It is only from the copy you have sent me that I have been able to read it.

The Viceroy wrote that if I was anxious to go to Kashmir I could go there and there would be no ban. He hoped that I would observe the laws of the State, etc. On receipt of this letter I finally decided to go to Kashmir on the 24th. I informed the Viceroy accordingly and have written and telegraphed to the Maharaja.

After making these arrangements I got a long telegram from the Nawab of Bhopal this evening pressing me not to go to Kashmir at present. I have sent him an equally long reply appreciating his sentiments but pointing out that in view of what the Viceroy had written to me and the arrangements had been made it was difficult for me to cancel my trip; further that I was going there on a peaceful mission and not for trouble. So I propose to go on the 24th morning. I expect to be there about four days. Then I shall hurry back to Allahabad, where I have some important work.

It is not my intention to raise any major issues in Kashmir at this stage. I shall also see Sheikh Abdullah and join in consultation about his defence. I shall also visit parts of the city and meet some people. I do not propose to hold public meetings and the like, though it may happen, of course, that crowds gather occasionally where I go.

1 A leading advocate who became Minister in Congress Government in Bombay in 1937-39

I think we should fix a date for the meeting of the Working Committee. Bapu[1] has suggested that a meeting should be held soon to consider the Kashmir matter. I have sent a telegram to him asking him what date and place would suit him early in August.

There is no question of Maulana [Azad] going to Kashmir at present. I know nothing about it.

About Sikhs and the Punjab I am absolutely and thoroughly fed up. Colonel Gill[2] has sent me a telegram asking me to meet their delegation. As a matter of fact, my committee here meets all day and I have no time left for any other work. I have told him so and have suggested that he might send his representatives to you.

Yours sincerely,
Jawaharlal Nehru

Sardar Vallabhbhai Patel
Bombay

14

TELEGRAM

Srinagar
22 July 1946

Sardar Vallabhbhai Patel
Bombay

MANY THANKS FOR TELEGRAM. GLAD POSITION APPRECIATED. HOPE YOU ARE QUITE FIT NOW. KINDEST REGARDS.

KAK

15

Bombay
15 August 1946

Dear Dewan Sahib,

I regret to find that the affairs in Kashmir have not been settled. As there was a postal strike and also that of the telegraph department, I did not write to you. Besides, I was waiting for Pandit Jawaharlal Nehru's report about his visit to Kashmir.

1 Term used affectionately for Mahatma Gandhi

2 Niranjan Singh Gill, a member of the Indian National Army raised by Subhas Bose in South-East Asia during World War II. After war he entered Sikh politics in Punjab.

know as well as I do that the prosperity of the State depends on such co-operation, and so long as the relations of mutual trust subsist, the welfare of the State is ensured and its integrity cannot be impaired. It is the duty of all of us to maintain this integrity—no matter what the cost.

I wish to add a word with regard to our policy with reference to the recent events which have attracted a good deal of public attention. The fundamental principle of that policy is to promote by all means available the welfare of the State. This can only be achieved with the co-operation of the people and I am happy to say that that co-operation has been forthcoming in ample measure. It is not necessary for me to tell you that any measures, which will strengthen the link between the Raja and the Praja, provided those measures preserve the ancient traditions, on which our policy is built, and are designed to further the real welfare of every element in the State, have my full support.

The second principle which guides our policy is that so far as our domestic affairs are concerned we must work out our own destiny without dictation from any quarter which is not an intergral part of the State. There are many organisations in the State representing the different interests and opinions of the people of the State. These organisations are free to operate within the law and to express their views in a constitutional manner. Their views are already represented in the Praja Sabha,[1] which has an elected majority. Freedom of association is assured, and all such views are given and will continue to be given their due weight. But the balance must be maintained, and no single interest can be allowed to dictate even within the State, unless constitutional government is to become a mockery.

Naturally we are interested in the progress of India as a whole. My views on the subject are well known and on more than one occasion I have given expression to them. They are briefly that we look forward to taking our due place in the new constitutional structure of India, whereby we hope that India will be able to take its proper place as a great nation, one of the brotherhood of nations, and to wield great influence in the affairs of the world, thus adding to human civilisation those aspects of our great culture which will help to solve the problems of mankind. But our concern for the progress of India does not imply acceptance by us of dictation in our internal affairs, particularly when such a course entails interference with the full and free operation of the law, and thereby endangers the security and orderly course of life to which every peaceful and law-abiding citizen is entitled. Kashmir is renowned for its beauty throughout the world, and I least of all would wish to deny to any person free access to it. But if we are convinced that such access in any case will lead inevitably to strife, disorder and

1 A legislative body created by the Maharaja consisting of elected and nominated members as the first instalment of constitutional reforms

consequent bloodshed amongst my people, it is our bounden duty to take all steps necessary to avert those consequences and this duty we will continue to discharge at all costs. But when we feel satisfied that any visit will not lead to such consequences, no let or hindrance will be imposed.

I once more thank you for your loyalty and again express my determination to work with my people for the welfare and prosperity of the State.

Instructions have been issued that this message be circulated to each village in the State so that all my people may know how deeply I appreciate their loyalty and what the ruling principles of our policy are.

17

TELEGRAM

New Delhi
28 August 1946

Rai Bahadur Kak
Prime Minister
Srinagar

MY LETTER FIFTEENTH AUGUST REMAINS UNACKNOWLEDGED. WONDERING WHETHER MISLAID. PLEASE WIRE REPLY.

VALLABHBHAI

18

New Delhi
28 August 1946

Dear Friend,

I wrote to you on 15 August a letter from Bombay, the receipt of which has not been acknowledged as yet and I am wondering whether you have received it or not. I have therefore sent you a telegram today as under:

"MY LETTER FIFTEENTH AUGUST REMAINS UNACKNOWLEDGED. WONDERING WHETHER MISLAID. PLEASE WIRE REPLY."

I am enclosing herewith a copy of the letter in case it has not reached you.

The case of Sheikh Abdullah is over and perhaps by the time this reaches you, he may have been convicted and sentenced to some term of imprisonment. I am sure you will agree with me that this will not solve the difficulties of the State, as there are a

large number of other people either in detention or under trial. The Secretary[1] of Pandit Jawaharlal Nehru, President of the All-India States Peoples' Conference, is also in prison. The president of the relief committee formed by him is also under arrest. Is it not time now to think of some amicable settlement, which would not affect the prestige of the State but at the same time would result in restoring normal relations between the State and its subjects? After all, you know that most of the people who fought with the British Government for all these years have now been placed in charge of the Government of India. Would it not be in the interest of the State to follow the same policy in Kashmir?[2]

I understand that elections are to take place in the near future in the State. What useful purpose would be served by holding the elections for the legislature in the State when a large number of people who ought to be in the Assembly are debarred from taking part in these elections by being imprisoned? I trust you will consider these suggestions from a sincere friend of the State and advise the Maharaja to end this trouble now when the authority of the State has been vindicated already.

With kind regards,

Yours sincerely,
Vallabhbhai Patel

Rai Bahadur Ramchandra Kak
Prime Minister of Kashmir
Srinagar

19

New Delhi
4 September 1946

Dear Friend,

I have to thank you for your letter of 25 August. It is not helpful. I have no desire to go to Kashmir on a pleasure trip. I would go only if, in your opinion, there is any prospect of a settlement along the lines suggested by me. I am most anxious to avoid trouble over this Kashmir question. As you know, the

1 Dwarkanath Kachru, who was a confidant of Nehru and a link between Nehru and Abdullah

2 This has reference to the Viceroy's announcement of 24 August regarding personnel of the Interim Government which took office on 2 September 1946.

Working Committee of the Congress has taken over the matter and it did so when there was every prospect of a flare-up all over India. I expect to hear from you soon.

Yours sincerely,
Vallabhbhai Patel

Rai Bahadur Pandit Ramchandra Kak
Srinagar

20

TELEGRAM

Srinagar
4 September 1946

Sardar Patel
New Delhi

THANKS YOUR PERSONAL LETTER OF 28 AUGUST. REPLY FOLLOWS. HOPE YOU RECEIVED MY LETTER OF 25 AUGUST AND TELEGRAM OF 28 AUGUST. REGARDS.

KAK

21

TELEGRAM

Srinagar
12 September 1946

Sardar Patel
New Delhi

YOUR LETTER DATED FOURTH SEPTEMBER. HAVE POSTED TODAY.

KAK

CHAPTER II

SARDAR'S ASSURANCE TO MAHARAJA

22

Srinagar
12 September 1946

My dear Sardar Sahib,

I have two letters of yours to acknowledge, dated 28 August and 4 September.

2. I can assure you that I was under no misapprehension that your visit to Kashmir would be a mere pleasure trip. Obviously such a thing could not be, in view of your great responsibilities and of the character and extent of the flare-up in India. I welcomed your idea of a visit to Kashmir as I conceived that first-hand knowledge of the conditions here and of the background of recent events, as of those of the immediately preceding years, would enable you to arrive at a correct appraisal of the situation. I feel that the premises upon which the assumptions contained in your earlier letter are based are incomplete and I would therefore like to make a few points clear.

3. The following is an analysis of the arrests made since Sheikh Abdullah's arrest on 19 May:

The total number of persons arrested was 924. At present there are 106 persons under detention, 55 are undergoing imprisonment for various offences. In only 6 cases the sentence exceeds six months. The number of undertrials is 47. The rest have all been released.

As our total population is over 40 lakhs, I leave you to judge whether this movement could properly be called popular.

4. You mention two people who are at present under detention. As regards Kachru [Dwarkanath Kachru, Secretary, States Peoples' Conference], I do not know the exact details, but I shall find out what the facts are and if they permit, you may depend on me to take suitable action. As regards the second man, he was wanted by the police on a charge of common assault against a Muslim journalist who differed from him politically. He absconded

and it was, I am told, during his absence from Kashmir that he was nominated president of the relief committee. Who nominated him is not clear. On his return to Kashmir, he was arrested and detained in the interest of law and order.

5. You suggest that steps should be taken to restore "normal relations between the State and its subjects." It was particularly in this connection that I should have been glad of your presence in Srinagar, in order that you might not have to accept at second-hand the fact that these relations are satisfactory and that the bulk of the people are with the Ruler and his Government.

6. I must repeat that the governing principle of our policy is upholding the free operation of the law. His Highness' Address to the people of which I sent you a copy with my letter of 25 August makes this fully clear. If, however, our affairs still give the Working Committee cause for concern even in the Press of India's so much more urgent needs, I can only say that your visit here would not be fruitless. But I owe it to you to make it clear that the policy of this Government is clear-cut as regards this matter and that we have not sought, nor would we accept, the arbitration of any third party. There is in fact no case for arbitration outside the competent courts, where any aggrieved person can seek redress. We have a High Court presided over by a retired judge of the Calcutta High Court and from this court also appeals lie to the Board of Judicial Advisers composed of three retired judges of British Indian High Courts.

7. The analogy you draw between the British Government and the Interim Government on the one side and this Government on the other is misleading. This Government is fundamentally of this country. Its history is our history, its hills and valleys were traversed and occupied by our forebears countless centuries ago. The Government is indigenous and broad-based and its members are not drawn from any single section, class or community. It contains a substantial popular element. From the Ruler downwards we have the advantage of generations of local associations and knowledge behind us.

8. Your suggestion that our policy should be changed now "when the authority of the State has been vindicated already" moves me to point out that "authority" and "honour" are both abstractions and have no reality except in so far as they are based on right thought and right action. There is nothing to justify change in our opinion that what was right in May is right now, and also that our "authority" remains only if no deviation is made from the right course.

9. There are one or two other things which I should have liked to mention but which are difficult to write about. Before, however, I conclude, I wish to remind you of the conversations which took place in your room on 4 and 5 July and particularly that between Mahatmaji and myself. The upshot of this conversation, as you will remember, was that Mahatmaji dropped everything with the exception of the one question of the removal of the ban on Pt. Jawaharlal Nehru's entry into the State. At Mahatmaji's instance, His Highness' letter which Mahatmaji saw at the time was eventually modified. A copy of the new letter was arranged to be delivered to Mr. Nehru through His Excellency the Viceroy as, owing to the postal strike, the letter had not reached him. I sent copies of this letter to Mahatmaji, yourself and Maulana Azad. You acknowledged receipt in your telegram dated 19 July which reads as follows:

> "SINCE YOUR DEPARTURE WAS ANXIOUSLY AWAITING YOUR LETTER WHICH THOUGH POSTED TWELFTH WAS EVENTUALLY RECEIVED TODAY OWING POSTAL STRIKE. THANKS COMMUNICATING PANDITJI."

From Mahatmaji a reply came in which I was more than gratified to read his commendation in the following terms:

> "महाराजा साहिबका जवाब ठीक लगता है। उसकी सफलता आपके चातुर्य, सहनशीलता और धैर्य पर निर्भर है।"

[Maharaja's reply appears to be correct. His success would depend on your tact and forbearance.]

With kind regards,

Yours sincerely,
Ramchandra Kak

Sardar Vallabhbhai Patel
New Delhi

23

New Delhi
16 September 1946

My dear Vallabhbhai,

I enclose a copy of a letter I have addressed to the Viceroy today.

Yours sincerely,
Jawaharlal Nehru

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

ENCLOSURE

New Delhi
16 September 1946

Dear Lord Wavell,

There is one matter which I should like to bring to your attention as it is going to have widespread repercussions all over India, and more especially among the States' people. This is the recent sentence of three years' imprisonment given to Sheikh Mohammed Abdullah in Kashmir. You know a good deal of the background of this case and of the events in Kashmir. You know also that I have been personally involved in this matter and the Congress Working Committee assumed responsibility in regard to it. The committee was reluctant to take any steps which might lead to further complications, but at the same time it felt strongly about it and I believe a communication was sent on their behalf to the Maharaja of Kashmir. Now that this trial has resulted in what is, I believe, the maximum sentence and conditions in Kashmir continue to be as bad as ever, the Congress Working Committee at their next meeting, which will be held soon, will no doubt give attention to Kashmir and take such steps as they may consider suitable.

There are several cases still pending in Kashmir. One of these is against our secretary, Pandit Dwarkanath Kachru, who was arrested simply because he was with me when I went there on the first occasion. For months now he has been in imprisonment and his trial does not begin. Indeed, I do not know what the case is about because all he did was to be with me.

I understand that next month elections to the Kashmir State Assembly will take place. A large number of members of the Assembly and prospective candidates are in prison, or in detention, and I am told that every obstruction is being placed in the way of the Kashmir National Conference[1] in order to prevent them from taking any effective part in these elections.

All these matters, as well as other happenings, are producing a sense of anger in Kashmir itself and outside. We are trying to avoid as far as possible any step which might lead to unpleasant happenings in the hope that matters would adjust themselves and the State authorities might change their policy in a manner which will not affect their prestige. They have evidently not done so and things will take their course now. I cannot remain a silent spectator of these events when my own colleagues are concerned and when I

1 See Prologue.

believe the State authorities have functioned in a most objectionable manner. Nor can the Congress remain silent and impassive.

Yours sincerely,
Jawaharlal Nehru

H. E. Field Marshal Right Honourable
Viscount Wavell, GCE, GMSI, GMIE, CMG, MC,
Viceroy and Governor-General of India
Viceroy's House
New Delhi

24

New Delhi
28 September 1946

Dear Friend,

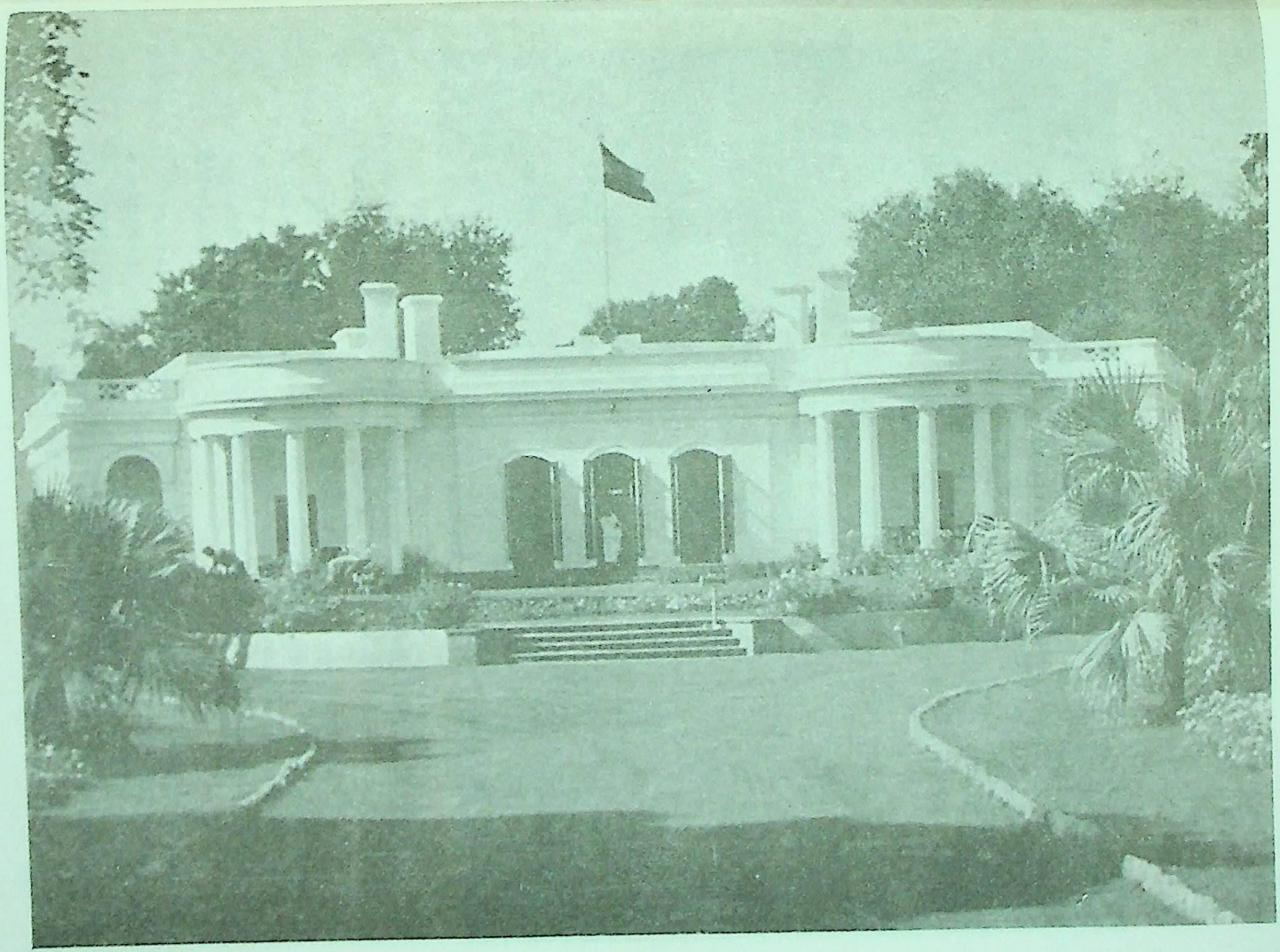
Thanks for your letter of the 12th instant. I purposely delayed sending you my reaction to it as I wanted to know what Pandit Nehru had to say. The result was the enclosed resolution of the Working Committee. I tried to arrive at a friendly and honourable understanding on the Kashmir question. I had no other interest in coming to Kashmir at present. I felt that I could render a service to H. H. the Maharaja Sahib and you by placing my services at your disposal. But your reply betrayed a cold, official touch-me-not attitude. I do hope, however, that the Maharaja Sahib will not fail to reciprocate the very friendly approach made by the Working Committee. The State can lose nothing by allowing daylight to shine on the doings of Kashmir.

No State can treat itself as outside the purview of India or regard Indians outside its boundary as strangers or foreigners.

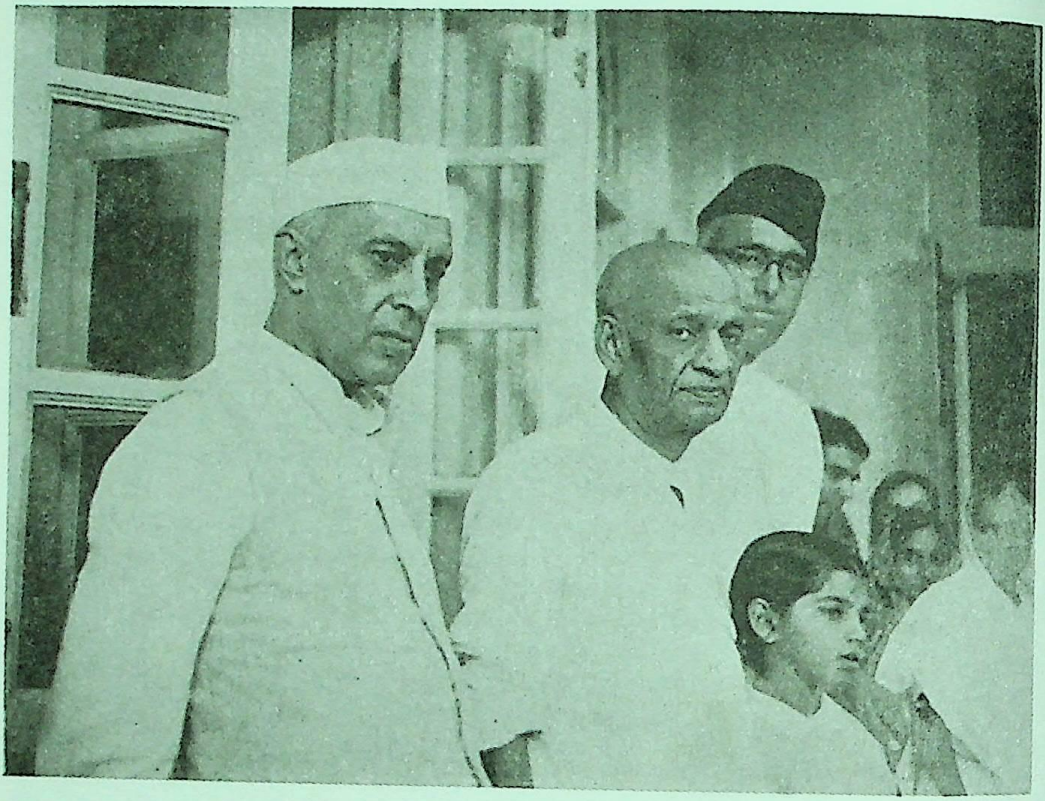
I may add that the Working Committee left off references to many things that were put before it in an emphatic manner.

Yours sincerely,
Vallabhbhai Patel

Pandit Ramchandra Kak
Srinagar



1 AURANGZEB ROAD, NEW DELHI, WHERE SARDAR PATEL LIVED



WITH MR. NEHRU AND SHEIKH ABDULLAH AT BIRLA HOUSE, BOMBAY

ENCLOSURE

CONGRESS WORKING COMMITTEE'S RESOLUTION ON KASHMIR

25 September 1946

Recent events in Kashmir have been repeatedly considered by the Working Committee and the Committee have been greatly affected by them. They refrained, however, from expressing any opinion as they hoped that the situation could be handled satisfactorily by friendly mediation. Their approaches, however, to the State authorities had an unfriendly response, and the situation has progressively deteriorated, involving repression of, and suffering for, the people.

Recently, the popular leader of the people and the President of the Kashmir National Conference, Sheikh Abdullah, was sentenced to three years' imprisonment. This has added to the gravity of the situation and distressed and angered large numbers of people within and outside the State.

When Pandit Jawaharlal Nehru went to Kashmir and was arrested there, Maulana Abul Kalam Azad, the then President of the Congress, asked him to come back in order to continue the valuable work he was doing for the Congress in connection with the negotiations with the Cabinet Mission.

Maulana Azad had assured him then, with the consent of the Working Committee, that the Congress would make his cause in Kashmir their own. Pandit Jawaharlal Nehru willingly returned, though not without misgivings. The Working Committee regret to find that his misgivings were justified.

From all accounts received by the Committee, repression of an open as well as a subtle type is continuing, and the people connected with the Kashmir [National] Conference are being harassed in many ways.

It is reported that while elections have been announced for the State Assembly, large numbers of names are being struck off the electoral rolls, and many prospective candidates for the election have been disqualified. No attempt is being made to liberalise the Constitution and to make it more democratic and responsible.

In view of these reports, the Working Committee feel it necessary to send a deputation, consisting of persons of unquestioned ability and impartiality, to inquire into the reports of repression and suppression of civil liberties. The Committee, therefore, earnestly recommend to Kashmir State that they should invite such a deputation.

Recent events in Kashmir have a large significance affecting the rulers and peoples of all the States in India and the Committee trust that the States will welcome the step that they are taking in regard to Kashmir.

While noting with deep regret the sentence passed on Sheikh Abdullah, the Committee would consider his incarceration as a worthy sacrifice if it results in the achievement of the freedom for which he was labouring. The Committee express their sympathy for all those who have suffered or are suffering for the cause of freedom in Kashmir.

25

Srinagar
13 October 1946

My dear Sardar Sahib,

Will you please refer to your letter dated 28 September, forwarding therewith a copy of the resolution of the Working Committee of the A.I.C.C. dated 25 September 1946? With regard to this I have already stated in my letters what the policy of His Highness' Government is. The enunciation of this policy is contained in His Highness' Address to his people of which I sent you a copy. Our attitude has, I maintain, been throughout one of accommodation. I am confident that a man of your wisdom and experience will appreciate our difficulty when I say that where matters of policy are concerned, it is impossible to concede the principle that one authority shall determine the policy when a different authority is to face the consequences of its enforcement. In this connection it may interest you to know that the following adjournment motion was moved in the State Assembly on 16 September 1946 by Choudhri Hamidullah Khan, leader of the Muslim Conference Group in the Assembly:

> "I move that the House do adjourn to discuss a definite matter of urgent public importance, namely, the alarm caused amongst the Muslims of the State by the reports widely circulating in the State that the Prime Minister of Kashmir has given an undertaking to the Executive Councillor, Sardar Vallabhbhai Patel, that he will implicitly follow the policy of the Indian Congress in the administration of the State and that he will suppress all tendencies towards the growth of Pakistan ideology in the State."

After the Congress Working Committee passed their resolution, Dr. Balramdas, an elected member, asked permission to move the following adjournment motion:

"The House do stand adjourned in order to discuss a definite matter of urgent public importance, namely, the keen dissatisfaction resulting from an attempt made by the Working Committee of the Indian National Congress to interfere in the internal affairs of the State as evidenced by the announcement recently made on the radio regarding sending a delegation to Kashmir—a course which is opposed to their declared policy of non-interference in the internal affairs of States."

He withdrew it on being told that the policy of the Government was as declared in His Highness' Address referred to above.

I am puzzled by your statement that "the State can lose nothing by allowing daylight to shine on the doings of Kashmir." Kashmir is not and has never been shrouded in mystery. This season we have had nearly 25,000 visitors from outside—India and abroad—who have traversed every nook and corner of the country. Among them have been several prominent Congressmen, e.g. Mr. Baldev Sahai, ex-Advocate General of Bihar, for two weeks; Mr. Asaf Ali for about seven weeks; Khan Abdul Ghaffar Khan[1] and Dewan Chamanlal[2] for a number of days; and lastly Pandit Jawaharlal Nehru who was here for five days; and went everywhere he wanted without let or hindrance and saw everything and everyone he wanted to see, including Sheikh Abdullah. It is particularly puzzling why it was that in the resolution the Working Committee omitted all reference to this second visit, and indeed seemed to infer that Mr. Nehru having returned to Delhi after his first visit never carried into effect his intention to return to Kashmir.

With regard to the alleged tampering with electoral rolls, I am afraid, those people on whose reports reliance had been placed have once again belied the trust reposed in them. I enclose copy of a Press note[3] on the subject issued by our Publicity Officer which speaks for itself. Copy of another Press note with regard to certain statements attributed to Dr. P. Sitaramayya[4] is also enclosed.

With kind regards,

Yours sincerely,
Ramchandra Kak

Sardar Vallabhbhai Patel
New Delhi

1 Member, Congress Working Committee, popularly known as Frontier Gandhi
2 Member, Central Assembly, a Congress labour leader of Punjab
3 Press Note No. 135 dated 9-10-46 stressed that the electoral rolls had not been fabricated. Press Note No. 136 of the same date challenged a statement by Dr. Pattabhi Sitaramayya, a member of the Congress Working Committee, on the amount of fines imposed on National Conference workers and on the alleged murder of persons detained for political purposes.
4 Member, Congress Working Committee

26

Jammu
30 October 1946

Dear Friend,

As you know that in January next there will be general elections in Kashmir State for the State Assembly. Also we want to inform you that the Kak Ministry feels diffident, as every bureaucratic Government does, to face the national groups in the State Assembly and is, therefore, trying its level best to see the National candidates defeated in the coming elections.

The Government have even issued secret instructions to their officers to use all possible means at their disposal to undermine the election campaign of the national groups; so much so that they have joined hands with the Rajya Hindu Sabha[1] and the Muslim Conference[2] against the National groups, and the latter two have formed themselves into a formidable block which is not easy to assail unless all the national groups form themselves into a joint front.

We thus had joint meetings of the National Conference workers, the Congress Committee workers and the progressive Hindus and have come to the conclusion that the elections should be fought jointly and preferably on the Congress ticket in Jammu province because of the following reasons:

1. The National Conference holds little influence in Jammu province because of their having not been able to do sufficient field work here.

2. Because of the misgivings about the National Conference as a turncoat of the Muslim Conference, the National Conference in Jammu enjoys little influence over the Hindus.

3. There has been a strong-founded doubt of the public here that the general directions of the National Conference are being controlled by Communists. The doubts have since recently been affirmed by the open confession of that of the chief workers of the National Conference of being Communist. One of them is a member of the Executive Committee of the All Jammu and Kashmir National Conference.

1 A branch of Hindu Mahasabha, J & K
2 See Prologue.

4. If elections are fought on the Congress ticket a very strong group of progressive Hindus is expected to join the Congress en bloc and the Government-Rajya Hindu Sabha alliance is bound to tumble down to pieces.

5. If at such places in Jammu province, where the National Conference has little influence, elections are fought on the Congress ticket, we have all chances to secure four out of seven Hindu seats, and one out of two Mohammedan seats, and if elections in these places are fought on the National Conference ticket, we are losing all.

We thus, in the light of the above circumstances, propose to form a joint election board wherein nominees of the National Conference (sitting as common national-minded citizens), members of the progressive Hindus, and nominees of the Congress Committee will be included. The board will select the best candidates on the basis of a joint manifesto. The election will be fought on the Congress ticket. Only Communist members of the National Conference are pressing for a separate manifesto because they foresee themselves to be [cast] out if the Congress takes the campaign in hand.

We hope that in the light of the above cited circumstances, you will very kindly permit, as a special case, the Congress Committee, Jammu, to take in hand the parliamentary activities.

In order to explain the matters and get your further guidance a special deputation will wait upon you soon.

Yours sincerely,
A. N. Vaid
General Secretary,
State Congress Committe,
Jammu

Sardar Vallabhbhai Patel
President
Parliamentary Committee
All-India Congress Committee, Delhi

27

New Delhi
5 November 1946

Dear Friend,

I have received your letter of 30 October.

The Congress Parliamentary Board does not deal with parliamentary activities in the Indian States. It has confined its activities to British India so far as parliamentary matters are concerned. In this matter you must take the advice of Pandit Jawaharlal Nehru as President of the All-India States Peoples' Conference, or Acharya Kripalani, the President of the Indian National Congress.

Yours sincerely,
Vallabhbhai Patel

The General Secretary
Congress Committee
Jammu

28

TELEGRAM

Lahore
18 November 1946

Sardar Patel
New Delhi

ELECTION BOARD MEMBERS ARRESTED YESTERDAY. REMAINING WORKERS BEING HOURLY HARASSED. NORMAL ELECTION WORK RENDERED IMPOSSIBLE. PREMIER AND MINISTERS TOURING AND EXERCISING OFFICIAL PRESSURE. POLLING IN KASHMIR FIXED FOR JANUARY WHEN WEATHER CONDITIONS RENDER MOVEMENT IMPOSSIBLE. MOST UNFAIR TACTICS ADOPTED TO THREATEN NATIONAL CONFERENCE ELECTION WORK.

GHULAMMOHAMMAD BAKSHI[1]

[1] Bakshi Ghulam Mohammad, a prominent member of National Conference and deputy of Sheikh Abdullah until latter's removal in 1953. Succeeded him as Prime Minister and held office until 1963.

29

TELEGRAM

Srinagar
5 January 1947

Sardar Patel
New Delhi

KASHMIR NATIONAL CONFERENCE MUSLIM FOLLOWERS ONLY INTERFERED ELECTIONS TWO SRINAGAR HINDU CONSTITUENCIES YESTERDAY. KASHMIRI PANDIT CONFERENCE VOTERS IN LORRIES AND ON FOOT PELTED WITH STONES AND SNOWBALLS AND PREVENTED FROM REACHING POLLING BOOTHS. PROVOCATIVE SLOGANS AGAINST RULER AND KASHMIRI PANDIT CONFERENCE PARTICIPATING IN ELECTIONS RAISED IN DIFFERENT PARTS CITY PARTICULARLY IN FRONT POLLING STATIONS. TURBANS BLANKETS OF HINDU VOTERS SNATCHED AWAY BY NATIONAL CONFERENCE HOOLIGANS. LORRIES CARRYING OUR VOTERS DAMAGED. ACCORDING PREARRANGED PLAN DOCTOR SHAMBOONATH [Pershan] NATIONAL CONFERENCE SPONSORED CANDIDATE FEELING HOPELESS TO SECURE VOTES WITHDREW ON BASELESS GROUNDS WHILE SOCIALIST PARTY CANDIDATES CONTINUED PARTICIPATION. NATIONAL CONFERENCE MUSLIMS FOUND RAISING SLOGANS IN FAVOUR DOCTOR PERSHAN. STRONGLY PROTEST AGAINST NATIONAL CONFERENCE PLANNED FASCIST ACTIONS.

PRESIDENT
ALL STATE KASHMIR PANDIT CONFERENCE

30

TELEGRAM

Srinagar
6 January 1947

Sardar Patel
New Delhi

COPY OF TELEGRAM TO HIS HIGHNESS MAHARAJA BAHADUR JAMMU BEGINS YOUR HIGHNESS LOYAL SUBJECT WHO HAD COURAGE TO STAND AGAINST PREMIER CUM ARMY MINISTERS BROTHER PANDIT

AMARNATH KAK IN PRAJA SABHA ELECTIONS WITHDREW TODAY AT 11-15 A.M. FOR THE FOLLOWING REASONS: SCANDALOUS OFFICIAL INTERFERENCE. AT BADMIBAGH CANTT. SOLDIERS WERE ASKED TO VOTE FOR MAHARAJA BAHADUR MEANING THEREBY AMARNATH AS IF HE WAS YOUR HIGHNESS REPRESENTATIVE AND YOUR HIGHNESS PARTY. B. K. BHAN PRINCIPAL AMARSINGH COLLEGE AND EX-PRINCIPAL MILY. SCHOOL WAS REPRESENTING AMARNATH KAK AT CANTT. AT MAIN STATION ALL POLLING OFFICERS ON DUTY PROPAGATED FOR KAK. COLLEGE PROFESSORS DRAGGED STUDENTS. EVEN BEFORE ELECTION DAY THEY WERE HIS UNOFFICIAL ELECTION AGENTS. MY WORKERS HARASSED BEATEN AND TEMPORARILY ARRESTED BY POLICE. JAGOHARZADOO NANDLAL WAZIR R. C. PANDIT NANDLAL DARBARI MUKHIAR POLLING OFFICERS BEHAVED MOST SCANDALOUSLY. THEY ACCOMPANIED VOTERS TO THE BALLOT BOXES AND FORCED THEM TO CAST THEIR VOTES FOR KAK. GOONDA PARTIES BEAT MY WORKERS AND POLICE LOOKED AT IT WITH TRAGIC APATHY. MYSELF ALSO ABUSED AND ASSAULTED BY POLICE AND POLLING OFFICERS AT THE POLLING STATION. EVEN BEFORE POLL DAY MY HOUSE WAS SEARCHED BY POLICE AND MILY IN MY ABSENCE. ALL FURNITURE BROKEN AND INMATES HARASSED. AT THE POLLING BOOTH AND IN PUBLIC STREETS GOVT. OFFICERS OPENLY AND LOUDLY PROPAGATED FOR KAK SAYING VOTE CAST FOR KAK IS VOTE CAST FOR PREMIER. MANY OTHER COMPLAINTS TOO NUMEROUS TO BE DETAILED HERE. CONSTABLE NO. 1028 ALONG WITH OTHERS BRUTALLY ASSAULTED VOTERS AND MYSELF. MEETING HELD IN CAMERA BY POLLING OFFICERS RETURNING OFFICERS AND AMARNATH KAK AT POLLING STATIONS. MYSELF EXCLUDED. ALL THIS REDUCES ELECTION TO A FARCE. AS OUR BENIGN LORD AND RULER PRAY INTERVENE AND COMMAND FRESH ELECTION. PREPARED FORFEIT RS. 10,000 IF FAIL IN CASE ELECTION UNDER IMPARTIAL SUPERVISION AND NOT UNDER THE SUPERVISION OF PREMIER WHO IS BROTHER TO AMARNATH KAK.

SHAMBOONATH PERSHAN

31

Jammu
7 April 1947

Dear Sardar Sahib,

Thank you for your letter dated 21 March 1947 on the subject of the Punjab Relief Fund. I shall do whatever I can to further your request.

With kind regards,

Yours sincerely,
Ramchandra Kak

Sardar Vallabhbhai Patel
New Delhi

32

New Delhi
11 April 1947

Dear Friend,

Thank you for your letter of the 7th instant and for your promise to do whatever you can to help in the matter. You know I have also written to the Maharaja Sahib about it.

I had a mind to talk to you about Kashmir affairs when you came here on the last occasion, but on the second day of our meeting you were found to be absent and on enquiry I was told that you had left Delhi. May I now enquire whether your attitude towards Sheikh Abdullah and his colleagues still remains the same, or whether you consider that the time is now ripe for reconsidering the whole question?

Yours sincerely,
Vallabhbhai Patel

Rai Bahadur Pandit Ramchandra Kak
Jammu

33

Delhi
3 July 1947

My dear Prime Minister,

I am addressing this letter to you after a long time with a heavy sense of responsibility. I invite your attention to the second paragraph of my last letter of 11 April 1947, after which I have not written to you, as you did not choose to send any reply. Conditions in India have since changed considerably, and I do not know how your mind is working at present.

You are aware that on 15 August, India, though divided, will be completely free, and you also know that by this time a vast majority of States have joined the Constituent Assembly of India. I realise the peculiar difficulties of Kashmir, but looking to its history and its traditions, it has, in my opinion, no other choice.

Do you still think that Sheikh Abdullah should continue to remain in jail? I am asking this question purely in the interest of Kashmir State. You know my attitude all along and my sympathy towards the State. I am once again advising you as a friend of the State to reconsider the matter without any delay.

His Excellency's visit was the proper time when this should have been done, but if it is not done now, perhaps it may be too late. I do not wish to write anything more.

Hope you are doing well.

Yours sincerely,
Vallabhbhai Patel

Pandit Ramchandra Kak
Srinagar

34

New Delhi
3 July 1947

My dear Maharaja Sahib,

Rai Bahadur Gopaldas [a prominent Hindu of Lahore] saw me today and conveyed to me the substance of your conversation with him. I am sorry to find that there is considerable misappre-

hension in your mind about the Congress. Allow me to assure Your Highness that the Congress is not only not your enemy, as you happen to believe, but there are in the Congress many strong supporters of your State. As an organisation, the Congress is not opposed to any Prince in India. It has no quarrel with the States. It is true that recent events resulting in the arrest of Pandit Jawaharlal Nehru and the continued detention of Sheikh Abdullah have created a feeling of great dissatisfaction amongst many Congressmen who wish well of your State. Pandit Jawaharlal Nehru belongs to Kashmir. He is proud of it, and rest assured he can never be your enemy.

It is unfortunate that none of the Congress leaders has got any contact with Your Highness. Personal contact would have removed much of the misunderstanding, which probably is based largely on misinformation gathered through sources not quite disinterested.

Having had no personal contact, my correspondence has been with your Prime Minister since the arrest of Sheikh Abdullah, and my efforts have been to persuade him to have a different approach to the problem, which in the long run would be in the interest of the State.

Is it necessary to assure you that in your domestic affairs the Congress has no intention whatever of interfering? If it had not been so, the Constituent Assembly would not have been able to attract a vast majority of Princes who have joined it, and I have no doubt that the rest will also join with very few exceptions who have no choice owing to peculiar circumstances, for instance Bhawalpur, Kalat, etc. In the Negotiating Committee, your Prime Minister was present, and our decisions were unanimous in the four meetings that he attended. In these meetings, all the Princes got complete satisfaction from us about their special rights, privileges, etc. which they enjoyed.

I fully appreciate the difficult and delicate situation in which your State has been placed, but as a sincere friend and well-wisher of the State, I wish to assure you that the interest of Kashmir lies in joining the Indian Union and its Constituent Assembly without any delay. Its past history and traditions demand it, and all India looks up to you and expects you to take that decision. Eighty per cent of India is on this side. The States that have cast their lot with the Constituent Assembly have been convinced that their safety lies in standing together with India.

I was greatly disappointed when His Excellency the Viceroy returned without having a full and frank discussion with you on

that fatal [fateful] Sunday, when you had given an appointment which could not be kept because of your sudden attack of cholic pain. He had invited you to be his guest at Delhi, and in that also he was disappointed. I had hopes that we would meet here, but I was greatly disappointed when His Excellency told me that you did not avail of the invitation.

May I take the liberty of suggesting that it would be better if you even now come to Delhi, when you will certainly be his guest? We want an opportunity of having a frank and free discussion with you in an atmosphere of freedom, and I have no doubt that all your doubts and suspicions, of which I have heard from Gopaldas, will completely disappear. In Free India, you cannot isolate yourself, and you must make friends with the leaders of Free India who want to be friends with you.

Yours sincerely,
Vallabhbhai Patel

Lt. Gen. His Highness Rajrajeshwar Maharajadhiraj
Sir Hari Singh
Maharaja of Jammu & Kashmir

35

Srinagar
15 July 1947

My dear Sardar Sahib,

I write to thank you for your letter dated 3 July 1947.

The matter you mention is a complicated one. As I am going to Delhi in about a week's time, I hope to have the pleasure of meeting you and shall have a talk with you on this and other subjects.

With kind regards,

Yours sincerely,
Ramchandra Kak

Hon'ble Sardar Vallabhbhai Patel
New Delhi

36

C/o A.I.S.A.
Srinagar
14 July 1947

Respected Sardar Sahib,

I have written to Dada [Acharya J. B. Kripalani][1] and Panditji [Jawaharlal Nehru] about Kashmir affairs [and] copy of one of the letters sent to Dada was forwarded to you also.

I am enclosing herewith a document giving out in brief the general outline of the present position of developments here. The question of joining the Indian Union has not been taken up just now. He will join soon after the items contained in the enclosure have been carried out.

It is obvious that I have written this at the instance of Gopaldasji. I have not added even an iota of my own. If anything, I have tried to say less.

I am arriving at Delhi on the 17th. I hope to see you also then. I shall explain things at length if you care for details.

With pranams,

Yours sincerely,
Ramadhar[2]

ENCLOSURE

The Maharaja has given his word for the following:

1. General amnesty to be proclaimed within a week or ten days' time.

2. Kak to go as soon as possible. The task of finding out his substitute has devolved upon Gopaldasji. He hopes to get the new person within a fortnight.

Now two things are expected from the other side. The weekly agitation should remain suspended and that Gandhiji should visit Kashmir only after the intended general amnesty has been proclaimed and not before that. The Maharaja is apprehensive of trouble if Bapu visits Kashmir during Kak's presence in the ministerial gaddi.

Ramadhar

1 General Secretary, All India Congress Committee
2 Secretary, All-India Spinners' Association

CHAPTER III

GENERAL AMNESTY

37

New Delhi
18 July 1947

My dear Jawaharlal,

I wrote a letter to Rai Bahadur Ramchandra Kak about the release of Sheikh Abdullah and other workers of the National Conference. I enclose a copy of the reply which I have received.[1]

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Pandit Jawaharlal Nehru
New Delhi

NOTE FOR SARDAR PATEL FROM DEWAN CHAMANLAL

23 August 1947

It is understood that Kashmir State have told the Indian P & T Department that they wish to be connected with them for the Post and Telegraph arrangements in Kashmir State. It is also understood that the Pakistan Government have refused to recognise the claim of the Indian P & T Department to control the Post and Telegraph offices situated in the State as they have been informed by Kashmir State that they wish the "existing arrangements" to continue. It seems that the contention of the Pakistan Government is based on the fact that Lahore and other post offices which used to control and provide the postal, telegraph and telephone facilities to Kashmir State have been transferred to the control of Pakistan and therefore they presume that the term "existing arrangements" means connection with Pakistan. On the other hand, so far as Kashmir State and the users of the post and telegraph and telephone facilities are concerned there has been no change whatever since 15 August 1947; and therefore by "existing arrangements" the State really meant the arrangements existing hitherto. The users of the service really do not know what happens behind the scenes and therefore Kashmir State do not seem to have realised the full implications

[1] See 35.

of what they were telling the Pakistan Government. The easiest solution now would seem to be to request the Kashmir Government to clarify their position further to the Pakistan authorities and thus join the Indian P & T Department for post and telegraph and telephone arrangements.

38

TELEGRAM

Srinagar
26 August 1947

Statesind
New Delhi

REFERENCE YOUR TELEGRAM OF 23RD REGARDING COMPLETION OF STANDSTILL AGREEMENTS. HIS HIGHNESS GOVERNMENT WOULD AS DESIRED DEPUTE AS SOON AS POSSIBLE DULY AUTHORISED MINISTER TO DO THE NEEDFUL.

PRIME MINISTER SRINAGAR

39

New Delhi
13 September 1947

My dear Baldev Singh,

I have received a request from the Kashmir Durbar to arrange for the loan of the services of Lt. Col. Kashmir Singh Katoch for services as Commander-in-Chief of the Kashmir Forces vice Major-General Scott who is retiring.

2. You know the difficulties of the State, and I feel that at this juncture it would be most useful to have an officer of our own Army as Commander-in-Chief of the Kashmir Forces. The officer selected is the son of the Prime Minister of Kashmir, General Janak Singh, and has opted for service with the Indian Dominion. It would be best, therefore, to lend his services for a period of three years on condition that, if the State decides to join the other Dominion, Col. Katoch will revert to the Indian Dominion.

3. It is possible that, owing to the fact that the India Command has recently been set up, you might find it difficult to spare Col. Kashmir Singh Katoch. While it is possible for us to find substitutes, I am doubtful whether Kashmir could get a more

suitable person. I would, therefore, request that any such reasons should give way to the overriding consideration of having our own man as Commander-in-Chief of the Kashmir State Forces.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Sardar Baldev Singh
Minister of Defence
New Delhi

40

New Delhi
13 September 1947

My dear Sardar Sahib,

Kindly refer to your letter of even date regarding the loan of the services of Lt. Col. Kashmir Singh Katoch for service as Commander-in-Chief of the Kashmir State Forces. I am looking into the matter and shall write to you about it within a few days.

Yours sincerely,
Baldev Singh

The Hon'ble Sardar Vallabhbhai Patel
Minister of Home Affairs
New Delhi

41

New Delhi
2 October 1947

My dear Sarin,

With reference to the previous correspondence we had about placing Lt. Col. Kashmir Singh Katoch on deputation to Jammu and Kashmir State, H. M. now understands that the State has written officially to the Defence Ministry. Strictly speaking, of course, the request should first have come to the States Ministry who would have arranged with the Defence Ministry for the loan of the services of Lt. Col. Kashmir Singh. However, in order to expedite a decision, H. M. is prepared to waive this

formality and would be glad if very early orders could be passed on this case.

Yours sincerely,
V. Shankar[1]

H. C. Sarin Esq., I.C.S.
Private Secretary to H. M. Defence
New Delhi

42

New Delhi
17 September 1947

My dear Neogy,

A representative of the Kashmir Government saw me this morning. He came here some days ago and has been stranded here for want of a plane service to Srinagar. I understand that all the planes which were not running on scheduled flights have now been taken over by your Ministry and that is why no service can now be laid on to Srinagar.

I am sure you appreciate the necessity of maintaining communications with Kashmir State, particularly in the present emergency. As things are, air communications are the only ones possible. I would, therefore, suggest that you might arrange, under arrangements with the airways company, which was operating this service previously, to release planes for this purpose. Incidentally, this would also assist you in making arrangements for the non-Muslim refugees stranded in Srinagar. I would suggest that, if you agree, action on these lines may be taken immediately.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Mr. K. C. Neogy[2]
New Delhi

1 I.C.S. officer who was Sardar Patel's Private Secretary from September 1946 up to the time of Sardar's death in December 1950
2 Minister for Refugee Relief and Rehabilitation in Nehru Cabinet

43

Delhi
21 September 1947

My dear Maharaja Sahib,

Justice Mehrchand Mahajan[1] met me yesterday and I am glad to learn that Your Highness had decided to appoint him as your Prime Minister. It is a wise choice and I have no doubt that he will be able to handle the affairs of the State in this critical period, firmly and in a statesmanlike manner.

He has discussed with me about the immediate requirements of the State and I have promised him full support and co-operation on our behalf. We fully realise how difficult the situation there is, and I can assure Your Highness that we will do our best to help your State in this critical period. Justice Mehrchand will convey to you personally the gist of our conversation on all matters affecting the interests of Kashmir.

I have also written a letter to Mr. Batra [R. L. Batra, the Deputy Prime Minister of Jammu and Kashmir] today on matters on which he had asked for our assistance.

I trust Your Highness is keeping good health.

With kind regards,

Yours sincerely,
Vallabhbhai Patel

Lt. General His Highness
Rajrajeshwar Maharajadhiraj
Maharaja Sir Hari Singhji Bahadur
G.C.S.I., G.C.I.E., G.C.V.O., LL.D.
Maharaja of Jammu & Kashmir
Srinagar

[1] Judge of Punjab High Court who succeeded Thakur Janak Singh as Prime Minister of J & K in November 1947

44

Imperial Hotel
New Delhi
23 September 1947

Dear Sardar Sahib,

I arrived yesterday from Kashmir and am in Delhi for two days on my way to Bombay en route to England. I would like to talk to you for a few moments about my husband who is still in Kashmir, if this is at all possible.

With many apologies for troubling you,

Yours sincerely,
Margaret Kak
[Mrs. R. C. Kak]

45

New Delhi
23 September 1947

Dear Mrs. Kak,

Please refer to your letter of 23 September 1947 addressed to the Hon'ble Sardar Vallabhbhai Patel. I am writing to request you to come and lunch with Sardar tomorrow, 24 Sept., 1947 at 1 p.m. He hopes it will be possible for you to come.

Yours sincerely,
V. Shankar
Private Secretary to
Hon'ble Sardar Vallabhbhai Patel

Mrs. R. C. Kak
c/o The Imperial Hotel
New Delhi

46

Gulab Mahal
Srinagar (Kashmir)
26 September 1947

My dear Sardar Patel,

Thank you for your letter of 21 September. I am glad to know that you had a generally satisfactory talk with Justice Mahajan. I trust that a little further elucidation of the points of view regarding the essential requirements of the moments would result in a satisfactory solution.

As regards communications, R. B. R. L. Batra is writing to you in detail.

With all good wishes,

Yours sincerely,
Hari Singh
Maharaja

Sardar Vallabhbhai Patel
New Delhi

47

New Delhi
2 October 1947

My dear Maharaja Sahib,

Thank you for your letter of 26 September 1947. I went to Amritsar on 30 September and delivered to Justice Mahajan the letters which Thakur Harnam Singh had brought from Your Highness. I had also a further talk with Justice Mahajan and understand that he is joining your service very shortly.

I need hardly say how pleased we all are at the general amnesty which Your Highness has proclaimed. I have no doubt that this would rally round you the men who might otherwise have been a thorn in your side. I can assure Your Highness of my abiding sympathy with you in your difficulties; nor need I disguise the instinctive responsibility I feel for ensuring the safety and integrity of your State. I can, therefore, assure you that in

everything that we do we shall pay the highest regard to the interests of your State. Sheikh Abdullah will be coming to Delhi shortly and we shall endeavour to reach a satisfactory solution of the difficulties which you have from that quarter. I shall then suggest to Your Highness how best we can proceed further.

In the meantime, I am expediting as much as possible the linking up of the State with the Indian Dominion by means of telegraph, telephones, wireless and roads. We fully realize the need for despatch and urgency and I can assure you that we shall do our best.

With best wishes,

Yours very sincerely,
Vallabhbhai Patel

Lt. General His Highness Rajrajeshwar
Maharajadhiraj Maharaja Sir Hari Singhji
Bahadur, G.S.C.I., G.C.I.E., G.C.V.O., LL.D.
Maharaja of Jammu & Kashmir
Srinagar

48

Srinagar (Kashmir)
1 October 1947

My dear Sardar Patel,

I am grateful for your letter of 23 September and am to convey to you the thanks of our Government for your very kind help in procuring for the State the loan of the requisite wireless equipment for making Srinagar and Jammu landing well-equipped for all-weather air service.

Mr. Ahuja, the bearer of your letter, has taken great pains to examine the situation again and to discuss all details. The proposals as finally evolved have been agreed to by our Government and a formal intimation on the subject is being sent to the Director General of Civil Aviation in Delhi. It is trusted that no time would now be lost in sending the requisite apparatus and deputing the staff which Mr. Ahuja has undertaken to select for the purpose.

Mr. Ahuja has very kindly suggested that for purpose of secrecy of certain important administrative messages which may have to be sent from here to you or others at New Delhi, it

would be advisable to use a special code. This is an excellent suggestion and I trust the authorities concerned would agree to this.

I hope you will agree that side by side with the development of air services and aeronautical communication it would be desirable if suitable meteorological observations could also be secured. We will greatly appreciate your very kindly asking some officer of the Meteorological Department to visit this place for advising the State as well as for actually setting up the installation.

I have also explained to Mr. Ahuja the immediate necessity of having a transmitter for enabling the Publicity Department of the State to contradict and effectively counteract the mischievous and false propaganda which Pakistan Radio is permitting to be broadcast. In my view it would be far more efficacious if it is done from here than from any other place. The Government shall be grateful if the necessary apparatus is loaned at an early date. It should be powerful enough to let the broadcasts be audible at least in every nook and corner of the country if not actually abroad. In case a Special Officer be needed to work it, the services of one may kindly be lent for the purpose. Mr. Ahuja informs me that the installation could either be worked conjointly with the wireless apparatus to be fitted at the aerodrome or independently. There would be no difficulty in working it in the manner in which it may be more efficacious.

A separate self-contained letter is being sent to the Hon'ble Defence Minister for supplying arms and ammunition. Part of these was requisitioned long ago through the Resident and the remaining represents our immediate present needs. It is requested that you may kindly use your good offices to have the indents supplied immediately. The reason for this need hardly be stressed as you must be well aware of the dangers which are being manufactured and threatened against the State. In case we are fully equipped we are resolutely determined to face, if forced.

Thanking you again and with best regards,

Yours sincerely,
Ramchandra Kak

Sardar Vallabhbhai Patel
New Delhi

49

New Delhi
27 September 1947

My dear Vallabhbhai,

I am writing to you about Kashmir. I met Mahajan before he went there and had a talk with him. I felt that his approach might not be wholly successful.

2. It is obvious to me from the many reports I have received that the situation there is a dangerous and deteriorating one. The Muslim League in the Punjab and the N.W.F.P. are making preparations to enter Kashmir in considerable numbers. The approach of winter is going to cut off Kashmir from the rest of India. The only normal route then is via the Jhelum valley. The Jammu route can hardly be used during winter and air traffic is also suspended. Therefore it is important that something should be done before these winter conditions set in. This means practically by the end of October or, at the latest, the beginning of November. Indeed, air traffic will be difficult even before that.

3. I understand that the Pakistan strategy is to infiltrate into Kashmir now and to take some big action as soon as Kashmir is more or less isolated because of the coming winter.

4. Whether this strategy succeeds or not depends upon the forces opposed to it. I rather doubt if the Maharaja and his State forces can meet the situation by themselves and without some popular help. They will be isolated from the rest of India and if their own people go against them, it will be very difficult to meet the situation. Obviously the only major group that can side with them is the National Conference under Sheikh Abdullah's leadership. If by any chance that is hostile or even passive, then the Maharaja and his Government become isolated and the Pakistani people will have a relatively free field.

5. It becomes important, therefore, that the Maharaja should make friends with the National Conference so that there might be this popular support against Pakistan. Indeed, it seems to me that there is no other course open to the Maharaja but this: to release Sheikh Abdullah and the National Conference leaders, to make a friendly approach to them, seek their co-operation and make them feel that this is really meant, and then to declare

adhesion to the Indian Union. Once the State [accedes] to India, it will become very difficult for Pakistan to invade it officially or unofficially without coming into conflict with the Indian Union. If, however, there is delay in this accession, then Pakistan will go ahead without much fear of consequences, specially when the winter isolates Kashmir.

6. It seems to me urgently necessary, therefore, that the accession to the Indian Union should take place early. It is equally clear to me that this can only take place with some measure of success after there is peace between the Maharaja and the National Conference and they co-operate together to meet the situation. This is not an easy task; but it can be done chiefly because Abdullah is very anxious to keep out of Pakistan and relies upon us a great deal for advice. At the same time he cannot carry his people with him unless he has something definite to place before them. What this can be in the circumstances I cannot define precisely at the present moment. But the main thing is that the Maharaja should try to gain the goodwill and co-operation of Abdullah. This is the belief also of various minorities in Kashmir who have no other support to lean upon. I do not think it is possible for the Maharaja to function for long if no major section of the population supports him. It would be a tragedy if the National Conference remains passive owing to frustration and lack of opportunity.

7. Nobody can guarantee what will happen in this complicated situation. But the course I have suggested seems to me the wisest one and the most likely to produce results. But it is important that there should be no delay. The time element cannot be forgotten and delay itself may cut us off completely from Kashmir owing to the approach of winter.

8. I tried to explain much of this to Mahajan. But I fear he only partly appreciated what I said. I do not know what advice you gave to him. Your advice will naturally go a long way either to the Maharaja or to Mahajan.

9. At the present moment Sheikh Abdullah and his colleagues are still in prison. It seems to me very injurious to future developments. Unfortunately the Maharaja cannot make up his mind easily.

10. I hope you will be able to take some action in this matter to force the pace and to turn events in the right direction. We have definitely a great asset in the National Conference provided it is properly handled. It would be a pity to lose this.

Sheikh Abdullah has repeatedly given assurances of wishing to co-operate and of being opposed to Pakistan; also to abide by my advice.

11. I would again add that time is [of] the essence of the business and things must be done in a way so as to bring about the accession of Kashmir to the Indian Union as rapidly as possible with the co-operation of Sheikh Abdullah.

Yours sincerely,
Jawaharlal

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

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TELEGRAM

28 September 1947

Sardar Patel
New Delhi

EXTREMELY URGENT GOVERNMENT WORK NECESSITATES IMMEDIATE RELEASE OF ONE DALMIA JAIN AIRCRAFT FOR CHARTER SERVICE TO SRINAGAR AND BACK TO DELHI. SHALL BE GRATEFUL IF IT IS KINDLY ARRANGED IMMEDIATELY.

DEPUTY PRIME MINISTER OF KASHMIR

51

TELEGRAM

28 September 1947

Deputy Prime Minister
Kashmir

YOUR MESSAGE REGARDING CHARTER SERVICE TO SRINAGAR AND BACK. I HAVE ARRANGED WITH COMMUNICATION MINISTER [R. A. Kidwai] TO ACCEDE TO YOUR REQUEST. ARRANGEMENTS BEING MADE ACCORDINGLY.

VALLABHBHAI PATEL

52

Srinagar
3 October 1947

My dear Sardar Sahib,

An indent for military equipment was sent to you on 1 October, and another letter connected therewith is being sent today. I trust this would receive your earliest attention.

I am writing this to say that Mr. Justice Mahajan after meeting you at Delhi conveyed the hope that it would be possible for the Indian Dominion to concentrate some military forces at Madhopore or at any equally near and convenient centre for rendering this State succour in case it is needed.

In my letter being sent today the situation which appears to be developing requires strengthening of all resources. The State is determined to face the menace squarely but in case occasion arises for the Government here to avail of the help promised above it trusts that it can confidently rely on the fulfilment of the same.

Thanking you in anticipation for the same and with best regards,

Yours sincerely,
B. L. Batra

The Hon'ble Sardar Baldev Singh
New Delhi

53

New Delhi
3 October 1947

Dear Sardar Sahib,

I again enquired what steps are being taken to remove necessary stores for the construction of telephone and telegraph lines from Pathankot to Jammu. I was told the load to be carried is too heavy for aeroplanes, but eight wagons loaded with all the necessary material have been despatched from Calcutta and will reach the border as soon as the bridges on the Eastern Punjab Railways

have been repaired. But if there is any delay in the repairs, the Eastern Punjab Railway authorities have agreed to arrange for transhipment and provide a special train to carry the load to its destination.

A special officer is already surveying the route and as soon as the material reaches the border the construction will start; and although the normal time for the completion of such construction is two months, it may be possible to complete it much earlier.

I have also suggested that a wireless transmitter may be installed at Jammu immediately. Amritsar has already a transmitter and a receiver and thereby important messages from Srinagar may be telegraphed to Jammu from where they will be wirelessed either to Amritsar or to Delhi. This will give us immediate connection and we will not have to wait for the completion of telegraph and telephone lines.

Yours sincerely,
Rafi Ahmed Kidwai[1]

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

54

New Delhi
4 October 1947

My dear Rafi Sahib,

Thank you for your letter dated 3 October 1947. I am grateful to you for the prompt action you have taken.

2. I presume that you are arranging for the wireless transmitter to be installed at Jammu. If you want me to approach Jammu and Kashmir State, please let me know and I shall do it at once.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Mr. Rafi Ahmed Kidwai
New Delhi

1 Minister for Communication in Nehru Cabinet

55

Prime Minister's Secretariat
5 October 1947

My dear Vallabhbhai,

I enclose a copy of a note on Patiala which Amrit Kaur[1] has sent me. She received it from Gyan Chand, who is a reliable worker living in Patiala territory near Simla.

I enclose also a brief statement by Dewan Shiv Saran Lal,[2] who has been Deputy Commissioner of Dera Ismail Khan in the Frontier. He is on leave and is in Delhi at present. He is a very straight and reliable man and knows the Frontier thoroughly. What he says must be based on knowledge. I am going to see him tomorrow to discuss the matter with him.

Shiv Saran Lal's statement demonstrates the immediate danger to Kashmir State. What we can do about it, I do not know. Anyhow, we should think about it jointly and devise some plan. I think you should also inform the Maharaja of Kashmir. The Maharaja has some knowledge of it already. These further details might help him to get a true view of the situation.

Yours sincerely,
Jawaharlal

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

NOTE FROM RAJKUMARI AMRIT KAUR

1. Story of designs and resistance of Muslims false and fantastic. They died like goats and sheep. About a lakh murdered in whole State; about 12,000 in Patiala alone. Whole families wiped out. Only innocent and helpless ones killed. Rape, abduction and processions of naked women and other atrocities on them. Wholesale looting, with police and military help; the lion's share looted by military itself. Recoveries are being made from public alone and not military and civil officials.

[1] Health Minister in Nehru Cabinet. First came to prominence as personal aide to Mahatma Gandhi.
[2] Retired Deputy Commissioner of Dera Ismail Khan

2. Conversion of Muslims to Sikhism alone permitted.

3. Open threats by Sikhs of looting Hindus before disturbances. Threats and actual stray cases of looting, assault and murder of Hindus now.

4. Already discrimination in giving business facilities and contracts to Sikhs (refugees and State subjects). Now Hindus being ousted and facilities given to local and refugee Sikhs.

5. Rehabilitation of Sikh agriculturist refugees only announced.

6. Almost all vacancies of Muslims being given to unqualified Sikhs.

7. Hindus panic-stricken and ready to quit. Waiting for restoration of means of communications.

8. Census figures (of Sikhs) already inflated. Now it is going to be made a purely Sikh State. Two districts—Narnaul (beyond Delhi) and Kohistan (Simla Hills)—predominantly Hindu.

CENSUS FIGURES

Between 1881-1921	H.	—13%
	S.	+28%
	M.	+ 3%
Between 1921-1931	H.	—3.6%
	S.	+21%
	M.	+9.4%
Between 1931-1941	H.	— 8%
	S.	+ 8%
	M.	+ 1%

STATEMENT BY DEWAN SHIV SARAN LAL

DEPUTY COMMISSIONER DERA ISMAIL KHAN (ON LEAVE)

1. About a fortnight back a scheme had been started to send armed tribal people to the Pakistan Kashmir border from Malakand to Sialkot.

About five lakhs have moved — more are moving in large numbers.

Transported by lorries (civilian as well as military) provided by Pakistan Government.

Arms confiscated and seized from non-Muslims in these areas are being supplied to the tribal people.

Factories in Frontier are producing more arms and ammunition.

2. States of Dir, Swat and Chitral are also preparing for an attack on Kashmir from the north-west.

The Wali of Swat has been promised Kashmir.

3. Intense propaganda is being carried out in the Frontier.

4. Mr. Shiv Saran Lal thinks that it is possible to create internal tribal dissensions which would keep the tribes occupied and divert their attention from projects planned by the Pakistan Government.

V. H. Coelho[1]

5 October 1947

[1] I.C.S. officer in the Prime Minister's Secretariat

CHAPTER IV

THE GATHERING STORM

56

New Delhi
11 October 1947

My dear Jawaharlal,

Thank you for your letter dated 5 October 1947. I have had a discussion with Shiv Saran Lal already. Apart from what he told me about Kashmir, he seemed to hold some queer views about retaliation on this side. If educated and responsible persons from amongst the people who have come here from the Frontier and West Punjab hold such views you can imagine what an average refugee must be feeling.

2. I find that the information which he gave us about Kashmir is already known to the Kashmir authorities.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Pandit Jawaharlal Nehru
New Delhi

57

New Delhi
5 October 1947

My dear Vallabhbhai,

I enclose a letter I have received from Dwarkanath Kachru [Secretary, All-India States Peoples' Conference] from Srinagar. A subsequent message says that he is staying on for a few more days.

Yours sincerely,
Jawaharlal

The Hon'ble Sardar Vallabhbhai Patel
New Delhi
Encl. 1

ENCLOSURE

Srinagar
4 October 1947

My dear Panditji,

I am now here for the last four days. Probably I will fly back on Monday. The position here can briefly be summarised thus:

1. Sheikh Sahib and his close associates have decided for the Indian Union.

2. But this decision has not been announced yet and the impression is being given that so far the National Conference have taken no decision.

3. The leaders of the National Conference are mostly in jail and only Sheikh Sahib has been released so far.

4. The stand taken by Sheikh Sahib is that the political prisoners must be released and the Working Committee and the General Council must be allowed to meet to consider the problem and to place their decision before the people.

5. Meanwhile Sheikh Sahib is delivering speeches to educate public opinion and to prepare the people for what seems to be the inevitable decision of the National Conference.

6. Speeches are delivered to show that killings of Hindus and Muslims are un-Hindu and un-Islamic; that the issue of accession cannot be decided by a religious sentiment and that the friends and sympathisers of Kashmiris during these years of struggle or sufferings have been Gandhiji, Jawaharlalji and the Congress and not the Muslims or the League or Mr. Jinnah. Attempts are being made to show that Jinnah and the League have done great harm to the popular movement in Kashmir and that the objective of the League and Mr. Jinnah is the preservation of the Princely Order and feudal oppression.

7. It is also emphasised that the objective of the Kashmir National Conference is the attainment of people's sovereignty with the Maharaja enjoying a constitutional position and that this would be the main factor determining the decision of the Conference in the matter of accession. In short, they would join the Dominion which enables them to achieve these objects or helps them in the achievement of their objective.

8. Another important fact which must be borne in mind is the utter collapse of the administrative and governmental machinery. An atmosphere of fear and insecurity pervades the place. There is no competent or reliable

person to talk or negotiate on behalf of the Government or the Maharaja and so far no step has been taken to begin talks with Sheikh Sahib.

9. The Maharaja is incapable of taking a decision and though Sheikh Sahib has written a nice letter to him and the Maharaja too has expressed a desire to meet Sheikh Sahib and his wife, there has really been no move from the Government or the Maharaja.

10. All this has made Sheikh Sahib very uneasy and the continued imprisonment of his colleagues adds all the more to the seriousness of the position.

11. Sheikh Sahib feels that unless there is a transfer of power to a substantial degree the National Conference may find itself in a difficult position. To fight the League, to maintain law and order inside the State and to carry the masses with them it is highly essential that a settlement with the National Conference should be brought about simultaneously with the accession to the Union.

12. Alternative to the National Conference is undiluted Muslim communalism of the most militant type and the National Conference urges that it be taken into confidence and be closely associated with the governance of the country.

13. This is the demand of the progressive elements amongst the minorities and they also urge that all progressive sections should stand behind Sheikh Sahib and strengthen his hands.

14. The threat to Kashmir is real and unless the Congress takes up a strong stand and forces the Maharaja to come to some agreement with the National Conference Kashmir is doomed and there will be nothing to prevent the conquest of Kashmir by Muslim League leaders and private armies. The Maharaja is doomed and so are the National Conference and the minorities.

15. Sheikh Sahib has received your letter today and tomorrow a reply will be prepared for you.

16. I shall most probably fly back on Monday and shall bring it along with me. This letter will be a detailed one and will explain the case of the National Conference.

17. Sheikh Sahib was most anxious to fly to Delhi to meet you but the situation here is such that he cannot leave the place for some days more. He has therefore asked me to go back in order to explain the whole case to you and Sardar Patel.

18. I hope you will realise the urgency of the situation here and bear it in mind while talking with the representatives of the Maharaja.

19. I need hardly repeat that you realise the whole position much better than most of us but I hope your colleagues will also take a similar view of the situation here.

Yours,
Dwarkanath

58

New Delhi
8 October 1947

My dear Jawaharlal,

I am returning herewith Kachru's letter to you, which you so kindly sent to me for perusal. After you received this letter, Batra, the Deputy Prime Minister of Jammu & Kashmir State, was here. He told me that Sheikh and Begum Abdullah were to meet His Highness the Maharaja that day, i.e., 6 October. He also told me that about half the political prisoners had already been released and the other half were to be released within the next two or three days.

2. We all realise that the position is full of dangerous potentialities. We are giving the Kashmir Government as much assistance as possible within the limited resources available. There are all sorts of difficulties in our going all out to assist the State. But I am sure things would improve when Justice Mahajan takes over the Prime Ministership. He is at least keenly alive to the dangers which surround Kashmir and knows his own mind. I hope there would be an end to the almost fatal indecisiveness which has so far been the bane of the Kashmir Government. In the meantime, all that we can and should do is to assist the State to the best of our capacity. I have also impressed upon Batra the need for mobilising popular opinion on the side of the Government. I am sure they themselves realize it.

3. Para 19 of Kachru's letter has a fling which is obviously aimed at me. I do not think that anything which could have been done for Kashmir has been left undone by me; nor am I aware of any difference between you and me on matters of policy relating to Kashmir. Still it is most unfortunate that persons down below should think that there is a gulf between us. It is also distressing to me.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Pandit Jawaharlal Nehru
New Delhi

59

New Delhi
7 October 1947

My dear Baldev Singh,

I hope arrangements are in train to send immediately supplies of arms and ammunition to Kashmir State. If necessary, we must arrange to send them by air.

I think the question of military assistance in time of emergency must claim the attention of our Defence Council as soon as possible. There is no time to lose if the reports which we hear of similar preparation for intervention on the part of the Pakistan Government are correct. It appears that the intervention is going to be true to Nazi pattern.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Sardar Baldev Singh
New Delhi

60

New Delhi
12 October 1947

My dear Gadgil,

You remember I wrote to you regarding a conference with officers of the Kashmir State Government on the question of road communication. The Deputy Prime Minister of Kashmir was here the other day and he has asked me to arrange for our officers to reach Madhopur on the 19th for this conference. Please arrange accordingly and ask your officers to be at Madhopur on that date. If the officers will report to the States Ministry they would be told the names of officers who would be coming from Kashmir State to have discussions with them. I am sending a similar letter to Rafi [R. A. Kidwai].

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Mr. N. V. Gadgil
Minister for Works, Mines & Power
New Delhi

61

New Delhi
12 October 1947

My dear Batra,

You remember you spoke to me about Mansehra bridge. I thought you would speak about it to the Defence Department representative at the Inter-Department meeting but understand you did not do so. I have spoken to Baldev Singh and he is quite agreeable to assist us. Please let me know what you want us to do in detail and whether you would like the matter to be treated officially or otherwise.

I am arranging to send our officers about telegraphs, telephones and road to Madhopur on the 19th. Please make arrangements accordingly at your end.

Yours sincerely,
Vallabhbhai Patel

Rai Bahadur B. L. Batra
Deputy Prime Minister
Jammu and Kashmir State
Srinagar

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Srinagar
17 October 1947

My dear Sardar Patel,

I hope my previous letter sent through Thakur Harnam Singh has reached [you]. Since then Lt. Col. Kashmir Singh Katoch has reached here but neither any ammunition has reached nor any probable date of its arrival has been communicated. Operations going on in Poonch necessitate immediate equipment of our forces with full complement of arms and ammunition. I have therefore requested the Hon'ble Defence Member to arrange to release stocks from Delhi immediately and if some have to be obtained from other places then these may also be sent immediately by air direct without transhipment at Delhi.

The nature of the country in Poonch has shown that bridges on hill terrain which are being destroyed by enemy action require

urgent replacement. This can be done easily if one mile long of Bailey bridging material is supplied on payment to the State. It is understood that this stock is lying at Calcutta and the easiest way to get it would be by a priority transit by rail via Pathankot.

As motor petrol is also immediately needed for operations and climatic conditions are very uncertain, it is requested that in place of sending petrol by one plane, two planes of Dalmia Jain Airways may be allowed to bring it at least for one week.

In the memo which I left with Lt. Col. Kashmir Singh to be handed to Mr. Shankar, aviation spirit was also asked for. I gave my copy of it to the latter when I met him at yours a few days ago. No intimation has as yet been received whether this is going to be supplied. We want this also very immediately, particularly as reconnoitring by air of various operations of the State has become a necessity.

As you must be aware, owing to breakdown of communications valuable commodities like silk, pashmina, dry and fresh fruit and walnuts are held up here. It will be in the interest of purchasers and the consumers if the Government of India could kindly help by allowing a freighter service to be run for at least a fortnight by Dalmia Jain Airways, who are already running a chartered passenger service here. Goods worth millions of rupees will be exported in this way. Some of these goods if not exported will perish here, while people in consuming centres will be deprived of the use of the same. I have directed the managing committee of the Dalmias to apply for permission for this freighter service.

I have already requested you more than once to kindly let us have, though it be temporarily only, a broadcasting set for counteracting the propaganda which, as you must be aware, is being set against us by Pakistan Radio for a major portion of the time of the news service period. We are very keen on telling the people in this country of the fallacious and baseless propaganda which is being raised against us. At present the only source through which we can counteract news is through the Indian Dominion broadcasting station and although we are kindly allowed to do this, it is realised that we could not justifiably claim more of your time than at present could be spared for us.

With regard to the Kishenganga bridge, I thought the matter was so secret that it had better be talked to the department concerned only. I therefore did not refer to it in the meeting. Since through your kindness and of the Defence Department, Lt. Col. Kashmir Singh has been relieved and has arrived here, he will study the

situation and if necessary inform me of what is desired to be done. I will address you and the Hon'ble Defence Minister about it later.

Our Road and Telegraph Chief Engineers have already reached Jammu and will be at Madhopur tomorrow. I hope your officers will also be there on due date. Government is very keen to push on the works under contemplation and I am sure this will be done at the earliest practicable date.

Hoping to be excused for the trouble and with best regards,

Yours sincerely,
B. L. Batra

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

63

New Delhi
20 October 1947

My dear Rafi Sahib,

Batra, Deputy Prime Minister of Kashmir State, has written to me that owing to the breakdown of communications, valuable commodities like silk, pashmina, dry and fresh fruit and walnuts are held up there and that it would be best if the Government of India could help by allowing a freighter service to be run for about a fortnight between Srinagar and Delhi.

2. I do not know whether it would be feasible, but since the season for Srinagar is only a fortnight more, I think it would be better if immediate arrangements could be made for this service. You could probably select some other suitable service and arrange that a freighter flies every day to Srinagar and back with these articles.

3. The Kashmir officer is due to leave tomorrow morning by air. I would, therefore, be grateful if you could let me know some time today whether anything would be possible, and, if so, what further action or assistance you would require from the Kashmir Government sponsored flight and any arrangement for payment of freight etc. would be with the Kashmir Government. It would be for them to recover whatever amount may be necessary from the actual consigners.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Rafi Ahmed Kidwai
New Delhi

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New Delhi
20 October 1947

My dear Chakravarty,

You remember you had a discussion with Batra, Deputy Prime Minister of Kashmir, regarding the supply of petrol and aviation spirit. Batra has written to H. M. again suggesting that in place of sending petrol by one plane two planes of Dalmia Jain Airways may be allowed to bring it at least for one week. I think he also mentioned about the supply of petrol and aviation spirit, how much is being flown per day, what is the total quantity that has already been sent and how much has been earmarked for Kashmir State at Pathankot and Amritsar.

2. Since the Kashmir representative is leaving tomorrow by air, I should be grateful if a reply could be sent some time today.

Yours sincerely,
V. Shankar

S. Chakravarty, Esq., M.B.E., I.C.S.
Deputy Secretary, Ministry of Transport
New Delhi

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New Delhi
21 October 1947

My dear Mahajan,

I hope you have already received a letter from Bakshi Tek Chand [a former Judge of the Lahore High Court] which must have been sent to you after I had a talk with him subsequent to my first discussion with Sheikh Abdullah.

Since then I have had further discussions with him. He seems to me genuinely anxious to co-operate and sincerely desirous of assisting the State in dealing with the external dangers and internal troubles with which it is threatened. But, at the same time, as is natural, he feels that unless something is done and is done immediately to strengthen his hands both in popular eyes and in

dealings with those dangers, it would be impossible for him to do anything substantial.

I myself feel that the position which Sheikh Abdullah takes up is understandable and reasonable. In the mounting demands for the introduction of responsible government in States, such as you have recently witnessed in Travancore and Mysore, it is impossible for you to isolate yourself. It is obvious that in your dealings with the external dangers and internal commotion with which you are faced, mere brute force is not enough. We, on our part, have pledged to give you the maximum support and we will do so. But I am afraid, without some measure of popular backing, particularly from amongst the community which represents such an overwhelming majority in Kashmir, it would be difficult to make such support go to the farthest limit that is necessary if we are to crush the disruptive forces which are being raised and organised. Nor do I think it would be possible for you to maintain for long the exclusive or the predominant monopoly of any particular community in your security services. It is as necessary for you to treat those who are willing to co-operate with trust and confidence in respect of these services as in respect of others which are generally termed nation-building departments.

In all these circumstances, it is my sincere and earnest advice to you to make a substantial gesture to win Sheikh Abdullah's support. I have no desire to suggest that you should do so in a manner which would be completely revolutionary in character. Such a step may undermine the loyal and willing support of the body politic. I fully realise that His Highness would like to safeguard his position and that of the State in certain matters. I have no doubt that human ingenuity, statesmanship and conciliation can find a solution in which Sheikh Sahib's position can be safeguarded without in any way jeopardising that of His Highness.

I feel that it would be in our mutual interests for you to reflect calmly and dispassionately on what I have said above. It would, in my opinion, be best if you could come here for consultation and, if possible, His Highness could be persuaded to come here as well. We could then hammer out something which would rally popular support in defence of the State both from without and from within.

Dewan Shiv Saran Lal, formerly Deputy Commissioner of Dera Ismail Khan, who has recently come to Delhi from the Frontier, is also coming by this plane. He has his own ideas

how he can be of service to the State. You can hear him and decide for yourself to what extent his ideas are practicable or would suit your requirements.

With kind regards,

Yours sincerely,
Vallabhbhai Patel

Mehrchand Mahajan, Esq.
Prime Minister of Kashmir
Srinagar

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Srinagar
23 October 1947

My dear Sardar Patelji,

After I had written to you a letter, I received yours of 21 October 1947.

I note your views about the constitutional position in the State but the situation in the State at the present moment is such that one cannot get a single moment to think of politics. We are practically working on a war basis and every minute of our time is taken up with the border situation which is worsening every day. Practically the whole of our Muslim military and police has either deserted or has not behaved in the proper manner. The help that you kindly promised has not arrived and we are surrounded on all sides. You will agree with me that it is hardly the time to think of any constitutional issues. As soon as I get breathing time I will come to you and discuss these matters. All I pray is that kindly implement the promise you made for sending equipment to us but which has not so far arrived.

Expecting an immediate implementation of your very kind promise,

Yours very sincerely,
Mehrchand Mahajan

The Hon'ble Sardar Vallabhbhai Patel
Home and States Minister
New Delhi

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Jammu Tawi
23 October 1947

My dear Sardar Patelji,

I am enclosing herewith a draft of a Press Note that I propose to issue. I seek your advice in the matter. A reply by the earliest airmail will be appreciated. I may mention that we have not yet received the assistance that was promised and the situation is worsening every day. I am sure that on receipt of this letter you will kindly see that the equipment required by us is flown to Srinagar immediately.

With kindest regards,

Yours very sincerely,
Mehrchand Mahajan

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

ENCLOSURE

His Highness and the Premier visited the border of the State with Pakistan from Kathua to Bhimbar. The whole border was in smoke and flames. It was a story of burnt houses, loot, abducted women and mass massacres. Over 75% houses of Hindus and Sikhs within 4 miles of the border have been looted, burnt; men, women and children have been killed, 303 rifles and ammunition have been recovered from some of the raiders. There is evidence of the use of mortar as well. Pathans with passports have been found raiding the State. Photographs of some persons killed have been taken. Leaflets printed on cloth have been dropped from the air and they are from a band who threatens to invade Jammu & Kashmir. Several Muslim military personnel and police have deserted under communal pressure from outside and some are under arrest at Sialkot with the Pakistan Army as deserters. Clearest evidence of an invasion from outside and an attempt to create an internal revolution on a well-thought-out plan is available. Kotli and Poonch are being similarly invaded and there are signs that Mirpur and Bhimbar may be the next objective. Kotli has been besieged. There is a similar story of villages being looted and burnt. Hindus and Sikhs have been massacred and converted and women being abducted. A Minister of Government is on the spot at Poonch. The

result of these raids and attempt to create disturbances and disorder and communal frenzy within the State which was free from it has been that retaliation and revenge have started from the local Hindu and Sikh population. Some houses of Muslims have been burnt and looted and there have been a few casualties. Bands of Muslims going to Pakistan en route have attacked Hindus and Sikhs and have killed some persons and some have themselves been killed in this attempt. The Government of Jammu & Kashmir and its officers are doing their best to protect Muslim houses and give free and safe passages to those who do not owe allegiance and loyalty to His Highness. His Highness' Government wishes to make it plain that if these raids from the Pakistan side do not stop, it will become very difficult to further control the local population which is in a great rage. Hindus and Sikhs cannot stand dishonour and abduction of their womenfolk and killing of their women and children and scenes that have been witnessed in the Punjab may be witnessed in the State in spite of the best efforts of the Jammu and Kashmir Government to protect life, property and honour of women. His Highness' Government again appeals to the rulers of Pakistan to avert this crisis. This is not the time of charges and countercharges. The Ruler and his Prime Minister have themselves seen all this with their eyes. Let the Governor-General and the Premier of Pakistan come and visit our border and see for themselves whether the reports on which they repudiate our allegations are true or not. It seems local Pakistan officials are not giving correct information and are encouraging these raids. It is not credible that the West Punjab Government is so incompetent as not to be able to allow passage of petrol, cloth etc., to reach the State border. The Government has enough material to prove that all their actions are well planned. The Deputy Commissioner, Sialkot, the Deputy Commissioner, Rawalpindi, have both been told all these facts. The Sialkot Brigadier met the State Brigadier at the border and he was given all details. State officials are meeting the Pakistan officials and informing them of all that is happening but with no effect. The result is that raids increase in intensity. No raids could take place if the Pakistan authorities wished to stop them. The Pakistan military was informed by the police that 3,000 refugees had been killed inside the State in a refugee camp. They came and were shown by the State authorities the camp and they discovered the information was a myth. The refugees were being well cared for in the camp.

The telegram of the Pakistan Premier threatens the Jammu & Kashmir Government with serious consequences. The Government of His Highness is not used to such threats and these threats, if repeated, will result in a complete deadlock between Pakistan and the State. It is for His Highness to decide whether he will remain independent or will join any Dominion. He has at present assumed an attitude of neutrality. Is it consistent with the assertions of the rulers of Pakistan to coerce and threaten His Highness not to join the Indian Dominion if he so decides? It has been asserted quite often

by the Pakistan rulers that it is for the rulers of States to decide as they like without external pressure as to the course of action to be adopted and this is in accordance with the provisions of the Indian Independence Act.

The assertion of free communications between Jammu & Kashmir and Pakistan is denied. No Hindu or Sikh can pass on these roads. Even Kashmiri Muslims who went to Rawalpindi for trade came back empty-handed and deprived of the sale proceeds of their goods. There have been a number of casualties of Hindus and Sikhs who attempted to use these roads. Both these roads are completely blocked for use as ordinary trade routes and communication channels.

The Government appeals to the Governor-General, Pakistan to intervene and order restoration of friendly relations. It also assures the people of the State not to get panicky. There is no cause for it. The situation is well in hand.

CHAPTER V

MOUNTBATTEN-JINNAH TALKS

68

Government House
New Delhi
25 October 1947

My dear Deputy Prime Minister,

General Rees[1] has managed to obtain some further information about Kashmir confidentially. It appears that Kohala has not been attacked so far. Tribesmen advancing at Uri were intercepted by Kashmir State troops, and a heavy battle appears to be in progress there.

There are now rumours that tribesmen from Dir and Chitral may be advancing on Srinagar.

There are reports that villages in Jammu have been attacked by non-Muslims, and there are rumours that Muslim villages across the border have now been attacked by non-Muslim crowds who are said to have been supported by State troops and police. As General Rees obtained this information on a confidential basis, I would be glad if you would keep this to yourself.

I am sending a copy of this letter to the Prime Minister.

Yours very sincerely,
Mountbatten of Burma

The Hon'ble Sardar Vallabhbhai Patel

1 Thomas Wyndord Rees, Major General, head of Military Engineering Staff attached to Emergency Committee of Cabinet

69

Government House
New Delhi
27 October 1947

My dear Deputy Prime Minister,

I have just heard from General Rees that our troops landed successfully at Srinagar and are advancing to meet the tribesmen who are approaching from Baramulla.

There is no doubt that if we could have sent our forces a fortnight ago to Srinagar or could have relieved the State Forces in Jammu to go to Srinagar, the position could have been held with comparative ease. Now I must remind you that the risk is great and that the chances of keeping the raiders out of Srinagar are not too good.

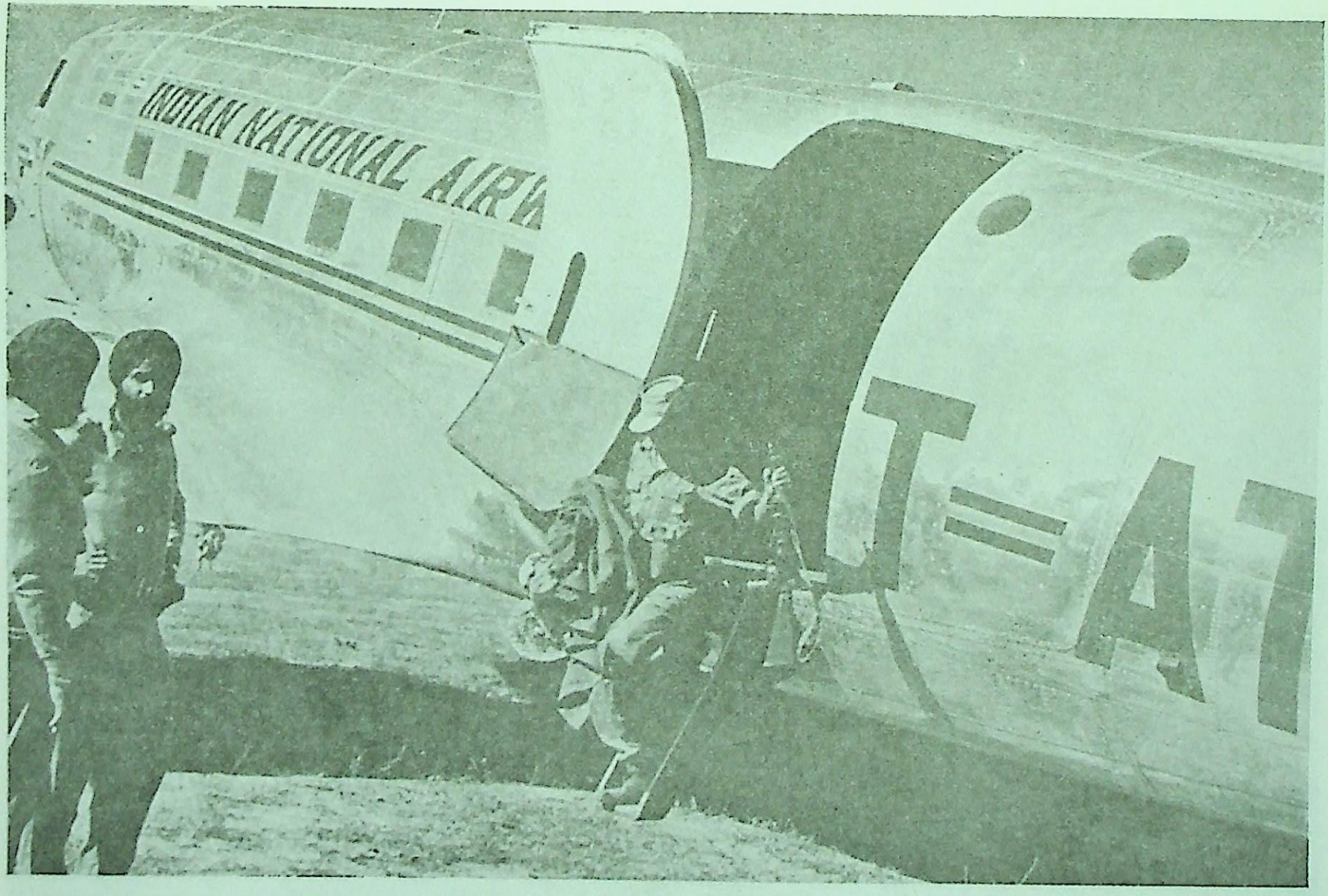
Fourtunately the tribesmen are presumably out for loot, and since the Valley has a very small proportion of non-Muslims they are bound to loot and massacre their own co-religionists whilst the forces of India support Sheikh Abdullah against them. This, I feel, will gain us a political advantage, and if Sheikh Abdullah's forces can be rallied in this way the tribesmen can probably be repulsed before they have done too much looting.

The supply by air or road at this time of year is a hazardous proceeding, as was pointed out by the Chiefs of Staff at the Defence Committee.

General Rees today spoke to a demobilised British officer who three days ago motored from Srinagar to Abbottabad.

He was held up and robbed by an advancing lashkar [band] of tribesmen who robbed him and also robbed and shot a retired British officer travelling with him. A Muslim ex-INA officer then intervened and helped to have these two British officers motored safely through to Abbottabad, together with the wife and daughter of the badly wounded officer to look after him.

The British officer gained the impression that the movement was very definitely organised; that there were ex-INA officers involved; that a staff for controlling Srinagar (e.g. Deputy Commissioner designate, etc.) was en route to Srinagar; that the Muslim League is involved.



ARRIVAL OF FIRST INDIAN TROOPS IN SRINAGAR TO DEFEND KASHMIR VALLEY IN 1947

LORD MOUNTBATTEN IN SRINAGAR WITH BAKSHI GHULAM MOHAMMAD, MR. NEHRU AND SARDAR BALDEV SINGH

The M.T. used were civilian buses and petrol is very short. Heavy casualties had been inflicted on Kashmir State troops from whom there had probably been a number of desertions.

There was no indication anywhere of Pakistan Army officers taking part.

The tribesmen included Afridis, Wazirs, Mahsuds; and it was clearly impossible to prevent them looting.

I am sending a copy of this letter to the Prime Minister.

Yours very sincerely,
Mountbatten of Burma

The Hon'ble Sardar Vallabhbhai Patel

70

Jammu
27 October 1947

My dear Sardar Patelji,

His Highness and myself are deeply grateful to you for what you did[1] for Kashmir yesterday. H.H. asks to me to convey to you personally his sense of deep obligations for this timely help which was so quickly given. I only depend on your valuable advice and guidance. I apologise for any foolish words I may have said. Now the whole matter is in your hands. Kindly send me the Mysore model and I will send my views how far it can be adopted to a backward State like Kashmir. You can yourself with Bakshiji [Bakshi Tek Chand] finalise it and I will come when called for discussions.

With kindest regards and my thanks once again. It was a most momentous and quick decision ever taken by politicians in India.

Yours sincerely,
Mehrchand Mahajan

1 Landing of Indian troops in Srinagar

71

Government House
New Delhi
31 October 1947

My dear Prime Minister,

I know I do not need to assure you that no sort of information was given from Government House which could possibly have been used by [Philip] Noel Baker[1] in his statement in the House of Commons that there would be a meeting on Kashmir at Lahore on Saturday; but I think you would like to know that I have verified that the U.K. High Commissioner here, [Sir Terence] Shone, had no knowledge of this meeting.

The only possible source, therefore, must be from Pakistan. You saw how my letter was worded, which was based entirely on the meeting of the Joint Defence Council and our readiness to discuss Kashmir after this meeting, since Liaquat's illness prevented him from travelling to Delhi.

I am fully aware that this makes the position difficult, but I feel that a statement on the lines of the attached draft may help to restore the position.

I am coming round to see you about this as soon as the Emergency Committee meeting is over, and to discuss the line we should take up at Lahore, not only to expose the complicity of Pakistan but to clear ourselves of Liaquat's fantastic charges that we have in some way engineered the situation.

I have never been so certain in my life that the future welfare of millions depends upon the skilful handling of this all-important meeting, and I am proud to be able to accompany you and offer my assistance in a constitutional manner.

Yours very sincerely,
Mountbatten of Burma

The Hon'ble Pandit Jawaharlal Nehru
Copy to the Hon'ble Sardar Vallabhbhai Patel

[1] Conservative British M.P., often displayed anti-Congress attitude whil speaking in Commons.

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New Delhi
2 November 1947

My dear Prime Minister,

Ismay[1] and I have been working most of the day trying to reconstitute as fairly as we possibly can the burden of our joint conversations with Mr. Liaquat Ali Khan and Mr. Jinnah; and we both think that the enclosed accounts are as fair as can be produced considering that no notes were taken at the time and the conversation with Mr. Jinnah alone lasted over 3 hours. I should be delighted for you to show these to the Deputy Prime Minister but would be grateful if you would not show them to anyone else without consulting me, because the whole basis of our talk was unauthorised and unofficial.

When we arrived there is no doubt that both Liaquat and Jinnah felt that from beginning to end this was a deliberate, long worked out, deep laid plot to secure Kashmir's permanent accession. We worked hard to dispel this illusion but do not guarantee we were successful.

I enclose a very rough note as a possible basis for discussion, after which I would suggest that you should draft a telegram to Liaquat sending your proposals for stopping this fighting.

Perhaps you and the Deputy Prime Minister would stay back after the Defence Committee tomorrow morning to discuss it.

May I congratulate you on your broadcast which I have just read and which is admirable and in striking contrast to Mr. Jinnah's statement?

Yours very sincerely,
Mountbatten of Burma

The Hon'ble Pandit Jawaharlal Nehru

PS.

The enclosures referred to in the notes on the discussions are from my private files, but you of course are well aware of them.

M. of B.

1 Lord Hasting Ismay, Chief of Staff to Lord Mountbatten, March-November 1947; Military Secretary to Lord Willingdon, 1931-33; Secretary, Committee of Imperial Defence, 1938

ENCLOSURE

NOTE OF A TALK WITH MR. LIAQUAT ALI KHAN AT LAHORE ON 1 NOVEMBER 1947

Having made the excuse of Mr. Liaquat Ali Khan's illness to enable me to take Pandit Nehru to Lahore for a Joint Defence Council meeting, I felt it was essential that part of the J.D.C. meeting should take place in Mr. Liaquat Ali Khan's presence. On arrival at Lahore, however, I discovered that he was still too ill to come to Government House. I therefore got rid of 24 of the 26 items on the agenda with Mr. Nishtar as the Pakistan Government's representative, and then the whole J.D.C. moved down to the Pakistan Prime Minister's House and continued the meeting in his bedroom. Liaquat was sitting up with a rug round his knees still looking very ill.

After the two controversial items had been disposed of everyone left the room excepting Mr. Liaquat Ali Khan, Lord Ismay and myself.

I began by giving him the statement by the Indian Chiefs of Staff on the sequence of events in Kashmir (copy attached) which I took back from him after he had read it.

I then proceeded to explain the position as I saw it, beginning with the accession of Junagadh and going on through the whole history of the Kashmir situation.

As so much of this is the same as I was later to repeat to Mr. Jinnah, it is not recorded here at length.

The burden of Mr. Liaquat Ali Khan's contention was that the Maharaja had categorically refused any form of negotiations or even discussions with Pakistan and that he had brought about a serious situation by allowing his Hindus and in particular his State forces, to massacre Muslims in the Poonch and Mirpur areas and across the border of Jammu. This had been more than the tribes could stand and this was the origin of their raid on Srinagar.

I asked him whether he expected us to believe that Afridis and Mahsuds could have come from beyond Peshawar in motor transport without the Government of Pakistan being at least aware of this. He did not deny knowledge of the movement but defended himself by saying that if they had made any attempt to interfere with the movement of tribes in their own buses, this would have precipitated trouble with the rest of the tribes on the Frontier.

I told him that my Government were quite sincere in their offer of a plebiscite, and showed him the draft formula which would also cover Junagadh.

Mr. Liaquat Ali Khan appeared to be very depressed and almost disinclined to make any further effort to avoid war. Lord Ismay and I did our best to cheer him up, the former pointing out that, if the leaders on either side abandoned hope of peace, all was indeed lost.

As time was getting on and as Mr. Liaquat Ali Khan looked very tired, we said we would go back to lunch with Mr. Jinnah at Government House and after discussions with him, we would, if he wished, come back and continue our conversation with the Prime Minister. This he gladly accepted and bade us a very friendly au revoir.

(*Note:* Owing to the great length of the discussion with Mr. Jinnah time did not permit of our returning to see his Prime Minister, but we sent a message excusing ourselves.)

NOTE OF A DISCUSSION WITH MR. JINNAH IN THE PRESENCE OF LORD ISMAY AT GOVERNMENT HOUSE, LAHORE, ON 1 NOVEMBER 1947

Introduction

In the course of 3½ hours of the most arduous and concentrated conversation, Kashmir took up most of the time; Junagadh took next place and Hyderabad the least. We darted about between these three subjects as well as talking about the over-all policy affecting States. I have divided this note into four parts, although this was not necessarily the order in which the subjects were discussed nor of course were all the remarks made consecutively.

Part I: India's Policy towards States Whose Accession Was in Dispute

I pointed out the similarity between the cases of Junagadh and Kashmir and suggested that plebiscites should be held under UNO as soon as conditions permitted. I told Mr. Jinnah that I had drafted out in the aeroplane a formula which I had not yet shown to my Government but to which I thought they might agree. This was the formula:—

> "The Governments of India and Pakistan agree that, where the ruler of a State does not belong to the community to which the majority of his subjects belong, and where the State has not acceded to that Dominion whose majority community is the same as the State's, the question of whether the State should finally accede to one or the other of the Dominions should in all cases be decided by an impartial reference to the will of the people."

Mr. Jinnah's first observation was that it was redundant and undesirable to have a plebiscite when it was quite clear that States should go according to their majority population, and if we would give him the accession of Kashmir he would offer to urge the accession of Junagadh direct to India.

I told him that my Government would never agree to changing the accession of a State against the wishes of the ruler or the Government that made the accession unless a plebiscite showed that the particular accession was not favoured by the people.

Mr. Jinnah then went on to say that he could not accept a formula if it was so drafted as to include Hyderabad, since he pointed out that Hyderabad did not wish to accede to either Dominion and he could not be a party to coercing them to accession.

I offered to put in some reference to States whose accession was in dispute "to try and get round the Hyderabad difficulty" and he said that he would give that his careful consideration if it was put to him.

I then pointed out that he really could not expect a principle to be applied in the case of Kashmir if it was not applied in the case of Junagadh and Hyderabad, but that we naturally would not expect him to be a party to compulsory accession against the wishes of the Nizam.

Part II: Hyderabad

I told Mr. Jinnah how much I regretted that at this serious moment he should have been compromised by the behaviour of the Itttehad-ul-Muslmin's delegation to Karachi.

He asked me what I meant. I told him that the two delegates, Yamin Zuberi and his companion, who had been reported by the Press as having seen him in Karachi, had returned to Hyderabad and were alleged to have influenced the Nizam into going back on his word to accept the standstill agreement which his Executive Council had passed by six votes to three. The inference had been drawn that they had carried a message to H.E.H. from Mr. Jinnah, and that this was the cause of the latter's reversal of his decision.

Mr. Jinnah assured me categorically that he had merely seen these two men out of courtesy, for a matter of five or perhaps seven minutes. They had told him that H.E.H. was about to sign an instrument of accession to India, and they begged Mr. Jinnah to intervene. Mr. Jinnah had replied that it was outside his power to intervene and that it was only a question for the Nizam and his own Government to decide.

I then recounted to Mr. Jinnah briefly the events which Sir Sultan Ahmed[1] had related to me on 31 October, and Lord Ismay substantiated this account from a letter he had received from Sir Walter Monckton.[2]

Mr. Jinnah once more affirmed most solemnly that he had nothing whatever to do with the recent reversal of the Nizam's decision. He had sent no verbal message whatsoever to Hyderabad. The advice he had tendered to H.E.H. in writing some time ago was that he was between the devil and the

[1] Legal Adviser to Nizam
[2] Constitutional Adviser to Nizam

deep blue sea. If he acceded to India, there would be bloodshed in Hyderabad; and if he did not accede, there would equally be bloodshed. Thus an agreement, but not accession, seemed to be the only hope.

I told him that the Nizam had sent me a letter through Sir Sultan Ahmed, dated 30 October, in which he implied that if negotiations now broke down with a new negotiating committee he might have to consider entering into an agreement with Pakistan.

Mr. Jinnah laughed and said, "That looks to me as though he is threatening you. It has nothing to do with me. I have never discussed any form of agreement with the Nizam."

I asked him straight out whether he would be prepared to sign a standstill agreement with Hyderabad if he were asked to by the Nizam. He replied that a standstill agreement implied that there were relations or intertwining factors which formed the basis for a standstill [agreement]. He could not think of any such factors between Pakistan and Hyderabad, and whereas he did not envisage wishing to sign such an agreement, he would have to examine the matter carefully, if it were put to him, before refusing.

I drew his attention to the unfortunate effect it would have if in fact he were to start negotiations with the Nizam after they had been broken off with the Dominion to which he was irretrievably linked geographically and by majority of population.

Mr. Jinnah said he would bear this in mind.

Part III: Junagadh

I read out to Mr. Jinnah the following extract from a statement made by Mr. Liaquat Ali Khan, which had been published in the Statesman of Friday, 21 September:

> "The correct position is that the Indian Independence Act of 1947 has left all Indian States completely free to join either one Dominion or the other or to enter into treaty relations with either. Legally and constitutionally there can be no question of putting limitations on this right of the States. Muslim League leaders before 15 August and the official spokesmen of the Pakistan Government thereafter have publicly declared their agreement with this view; and have since rigorously stood by it. No objection has been raised by Pakistan to any State acceding to the Dominion of India."

I asked Mr. Jinnah if he still stood rigorously by his Prime Minister's statement. He looked somewhat uneasy but admitted that it represented the legal position. I told him I woud revert to this when talking about Kashmir, but in the meanwhile wanted to know what he proposed to do about Junagadh.

He admitted that there was no sense in having Junagadh in the Dominion of Pakistan, and said that he had been most averse from accepting this accession. He had in fact demurred for a long time, but had finally given way to the insistent appeals of the Nawab and his Dewan.

I told him that in the case of Babariawad and Mangrol, it was clearly the wish of the people that they would be in the Dominion of India, and that they had in fact signed instruments of accession to that effect. How then could he refuse them the right of accession? He said that Mangrol's accession had been forced on him, and withdrawn almost before the ink was dry. In any event, he had persuaded the Nawab of Junagadh to accept legal arbitration.

I told him that the Government of India would not have minded the position so much if Junagadh had played the game and not interefered internally in these small States; but that they were oppressing the people, imposing fines and removing their grain. I pointed out that repeated telegrams had been sent protesting at this. Mr. Jinnah denied this, and stated categorically that neither Pakistan nor Junagadh had sent any soldiers or armed police into these States.

I told him that we had definite information that Junagadh had sent armed police into both of them, and that they were oppressing the people. Pandit Nehru had telegraphed to Mr. Liaquat Ali Khan about this, and the latter had undertaken to ask Junagadh to withdraw their forces.

When they had failed to do so, the Government of India had telegraphed, a few days back, saying that we would have to protect the interests of these States if the Junagadh forces were not withdrawn. Since they had not been withdrawn, India were going to put in forces to protect their interests, subject to a plebiscite being subsequently held in these States about final accession. They would go in under a flag of truce, with loud-hailers and inviting the co-operation of Junagadh authorities.

Mr. Jinnah lamented that the Government of India had not invited the co-operation of Pakistan beforehand. I pointed out that they had in fact been unable to enforce their own orders and that so far as I was aware, Indian forces had been sent into these two States that very day.

Part IV: Kashmir

I handed Mr. Jinnah a copy of the statement of events signed by the Indian Chiefs of Staff, which I had shown to Mr. Liaquat Ali Khan. He asked if he could keep it, but I made him return the original and gave him an unsigned copy. Although he expressed surprise at the remarkable speed at which we had been able to organise sending troops into Srinagar plain, he did not question the document or my statement.

Mr. Jinnah's principal complaint was that the Government of India had failed to give timely information to the Government of Pakistan about the action that they proposed to take in Kashmir.

I pointed out the speed at which events had moved. It was not until the evening of the 24th that reliable reports had been received of the tribal incursion, and it was not until the 25th that observers had been sent up to confirm these reports. Thus the decision to send in troops had not been taken until the 26th, by which date the Maharaja had announced his intention of acceding to India. There had not been a moment to lose. I added that I could not recall the exact time, but that it was my impression that Pandit Nehru had telegraphed to Mr. Liaquat Ali Khan on the 26th, immediately the decision to send in troops had been taken.

Mr. Jinnah complained that this information should have been sent much earlier—in fact on 24 October. "If," he said, "they had on that date telegraphed saying that a critical situation was reported to be developing in Kashmir and they had sent in observers to confirm these reports and suggested that Pakistan should co-operate in dealing with the situation, all the trouble would have been ended by now."

Lord Ismay agreed that the Government of Pakistan should have had the earliest possible notification. This was the first thing that had occurred to him on his return to Delhi from the United Kingdom, and, indeed, he was under the impression that it had been done. To the best of his recollection, Pandit Nehru had told him on the 28th that he had kept Mr. Liaquat Ali Khan in touch with what was happening all the time. If this had not been done, the oversight must have been due to the pressure of events, and not because the Government of India had anything to hide.

Mr. Jinnah looked up his files and said that the telegram had arrived after the troops had landed, and that it did not contain any form of an appeal for co-operation between the two Dominions in this matter; it merely informed him of the accession and the landing of troops. Continuing he said that the accession was not a bonafide one since it rested on "fraud and violence" and would never be accepted by Pakistan. I asked him to explain why he used the term "fraud," since the Maharaja was fully entitled, in accordance with Pakistan's own official statement, which I had just read over to him, to make such accession. It was therefore prefectly legal and valid.

Mr. Jinnah said that this accession was the end of a long intrigue and that it had been brought about by violence. I countered this by saying that I entirely agreed that the accession had been brought about by violence; I knew the Maharaja was most anxious to remain independent, and nothing but the terror of violence could have made him accede to either Dominion; since the violence had come from tribes for whom Pakistan was responsible, it was clear that he would have to accede to India to obtain help against the invader. Mr. Jinnah repeatedly made it clear that in his opinion it was India who had committed this violence by sending her troops into Srinagar; I countered as often with the above argument, thereby greatly enraging Mr. Jinnah at my apparent denseness.

From this point, he went on to say that the Government of India authorities had encouraged the Kashmir Government to massacre Muslims in the Poonch and Mirpur areas. I repudiated this as obvious nonsense. He then said, "Very well, it was the Congress party that did it." I pointed out that if there had been any such massacre by Hindus in the Poonch area (which I did not deny) this had been done entirely by Kashmir Hindus and could hardly have been done with the object of inciting the tribes to invade Kashmir and come so close to capturing Srinagar, merely to afford the Maharaja an excuse for acceding to India for the purpose of obtaining help.

I then explained to Mr. Jinnah, at some length, the policy which I had consistently pursued in regard to Kashmir, namely—trying to persuade the Maharaja to institute progressive government, ascertain the will of the people and then accede to the Dominion of the people's choice before 15 August. I recounted how I had tried to persuade H.H. to do this during my visit to Kashmir in July, and how I had told him my views privately whilst driving in the car with him; but that when I had wished to have a formal meeting with him in the presence of his Prime Minister and my Private Secretary (Sir George Abell) on the last day of my visit, he had pleaded illness and gone to bed to avoid the meeting. On leaving Srinagar, I had instructed the Resident (Colonel Webb) to continue to give the Maharaja this advice officially; and finally Lord Ismay had gone up at the end of August with instructions to advise the Maharaja to hurry up and ascertain the will of the people. But the Maharaja had invariably avoided the issue, and had always turned the conversation to lighter topics.

Mr. Jinnah paid a handsome tribute to the correctness of my policy and admitted that it was I who had put the ex-Premier of Kashmir (Pandit Kak) in touch with him when he came to Delhi.

Mr. Jinnah next referred to the statement which he had issued to the Press that day (copy attached) and enlarged on his difficulties in not being able to have any reasonable conversation, either personally or through representatives, with the Maharaja or even with his Prime Minister; and that, not only had the Maharaja brought his troubles upon himself by this attitude, but had greatly aggravated them by the massacres to which he had incited his Dogras against innocent Muslims. He said that even today at Jammu 90,000 Muslims were in danger of being massacred.

I told Mr. Jinnah that Pandit Nehru had expressed horror at the massacres that had taken place and had issued stringent orders that everything possible was to be done to stop them. Only the night before I had supplemented those instructions myself through an Indian Brigadier who had just returned from Kashmir and who fully agreed with the necessity for stopping any further killing of Muslims.

I informed Mr. Jinnah that we already had a Brigade Group of 2,000 men in Srinagar; that a 4th Battalion would be flown in that day, and a

5th Battalion within the next two days. I said that we should have no difficulty in holding Srinagar and that the prospect of the tribes entering the city in any force was now considered remote.

Lord Ismay suggested that the main thing was to stop the fighting; and he asked Mr. Jinnah how he proposed that this should be done. Mr. Jinnah said that both sides should withdraw at once. He emphasised that the withdrawal must be simultaneous. When I asked him how the tribesmen were to be called off, he said that all he had to do was to give them an order to come out and to warn them that if they did not comply, he would send large forces along their lines of communication. In fact, if I was prepared to fly to Srinagar with him, he would guarantee that the business would be settled within 24 hours.

I expressed mild astonishment at the degree of control that he appeared to exercise over the raiders.

I asked him how he proposed that we should withdraw our forces, observing that India's forces were on the outskirts of Srinagar in a defensive role; all the tribes had to do was to stop attacking. I also pointed out that we could not possibly afford aeroplanes to fly the Indian troops back. Lord Ismay suggested that they should march back via Banihal Pass.

I asked Mr. Jinnah why he objected so strongly to a plebiscite, and he said he did so because with the troops of the Indian Dominion in military occupation of Kashmir and with the National Conference under Sheikh Abdullah in power, such propaganda and pressure could be brought to bear that the average Muslim would never have the courage to vote for Pakistan.

I suggested that we might invite UNO to undertake the plebiscite and send observers and organisers in advance to ensure that the necessary atmosphere was created for a free and impartial plebiscite. I reiterated that the last thing my Government wished was to obtain a false result by a fraudulent plebiscite.

Mr. Jinnah repeated that he and I were the only two who could organise a plebiscite and said that we should do it together. Lord Ismay and I went to great trouble to explain that I was a constitutional Governor-General and a Britisher, and that even if my Government would trust me sufficiently to see this through, I was sure that Mr. Attlee would not give his consent.

Mr. Jinnah complained bitterly that after the extremely generous gesture on the part of the Government of India in accepting his invitation to come to discussions at Lahore, the illness of one man should have prevented some other Minister from coming to conduct the negotiations; why, for example, could Sardar Patel not have come? It was a matter of the greatest urgency to get together on this problem, and he asked me how soon Pandit Nehru could come to Lahore.

I countered by saying that it was now his turn to come to Delhi since I had come to Lahore, and I invited him cordially to stay as my guest, when I would take him to see Pandit Nehru in his bedroom.

He said that this was impossible. I pointed out that I had been to see Pandit Nehru personally in his bedroom and that I had now been to see his Prime Minister in his bedroom, and that I failed to see what was improper in this suggestion. He assured me that it was not a question of going to anybody's bedroom, but that he was so busy he simply had no time to leave Lahore while his Prime Minister was on the sick list.

I asked him afterwards if there was any single problem more serious or urgent than Kashmir. I pointed out that when one was so busy one had to arrange work in order of priority. If he admitted that Kashmir was top priority, then all other work should stand aside for it and he should come to Delhi at once. He said he regretted that this was impossible, for the whole burden of events was on his shoulders at Lahore. I explained that he need only be gone for the inside of a day and that I was anxious to return his hospitality. He said, "I would gladly come a hundred times to visit you; I just cannot manage it while my Prime Minister is ill." I asked him to ccome as soon as his Prime Minister was well enough to travel, and he said, "We shall have to see."

Lord Ismay pointed out that the best way to stand well in world opinion was for him now to come and return my visit and discuss Kashmir with Pandit Nehru. Mr. Jinnah said that he had lost interest in what the world thought of him since the British Commonwealth had let him down when he had asked them to come to the rescue of Pakistan.

I ended the meeting, as I had started it, by making it quite clear that I had come unbriefed and unauthorised to discuss Kashmir, since I had not had a chance of seeing Pandit Nehru after he had informed me he would be unable to accompany me. I told him I was speaking not as Governor-General of India but as the ex-Viceroy who had been responsible for partition and was anxious to see that it did not result in any harm coming to the two Dominions. He said he quite saw this but hoped that I would be able to discuss the various proposals which we had been talking about with Pandit Nehru and send him a firm telegram. I undertook to convey this message to Pandit Nehru.

Round about 5.00 p.m. it was obvious that we were going to be too late to go and see Mr. Liaquat Ali Khan again, so Lord Ismay left the room to telephone our apologies to him. I took the opportunity of Lord Ismay's absence to 'tell off' Mr. Jinnah. I told him that I considered it was unstatesmanlike, inept and bad mannered for him to issue a statement which directly accused the Government of India of "fraud and violence" in Kashmir a few hours before he expected the Prime Minister of India to come and discuss this very question in a friendly manner; and that had he been feeling well enough to come, such a studied and ill-timed insult would have been enough to send his temperature up again. I finally pointed out that Pakistan was in

my opinion in a much weaker position than India, not only from the obvious military point of view, but I was sure, the world would think they were in the wrong; and that this form of abuse before a discussion commenced could only put Pakistan even deeper in the wrong.

At the end Mr. Jinnah became extremely pessimistic and said it was quite clear that the Dominion of India was out to throttle and choke the Dominion of Pakistan at birth, and that if they continued with their oppression there would be nothing for it but to face the consequences. However depressing the prospect might be, he was not afraid; for the situation was already so bad that there was little that could happen to make it worse.

I pointed out that war, whilst admittedly very harmful for India, would be completely disastrous for Pakistan and himself.

Lord Ismay tried to cheer him up out of his depression but I fear was not very successful. However, we parted on good terms.

SUGGESTED PROPOSALS TO PAKISTAN GOVERNMENT TO FORM THE BASIS OF DISCUSSION

1. It is of paramount importance, not only to the Government of India, Pakistan and Kashmir, but also to the cause of world peace, that the fighting in Kashmir should cease at the earliest possible moment.

2. The best, if not the only, hope of achieving this object is a very early meeting between accredited representatives of the two countries.

3. The Government of India, for their part, have no desire to maintain troops in Kashmir, once the valley is safe from attack and law and order have been restored. They are therefore prepared to give an undertaking to withdraw their troops immediately the raiders have left the country and returned to their homes.

4. It is the sincere desire of the Government of India that a plebiscite should be held in Kashmir at the earliest possible date and in the fairest possible way. They suggest that UNO might be asked to provide supervisors for this plebiscite, and they are prepared to agree that a joint India-Pakistan force should hold the ring while the plebiscite is being held.

5. The Government of India suggest that both Governments should agree on the form of the public announcement to be made in regard to the procedure for accession of those States in which this matter is in dispute. A draft[1] is attached as a basis of discussion.

6. They suggest that the above proposals should be the subject of a round-table discussion at the earliest possible date.

1 This is included in the Note on page 73.

CHAPTER VI

LEAGUE-BRITISH CONSPIRACY

73

New Delhi
2 November 1947

My dear Baldev Singh,

The D.I.B. has intercepted a telephone message which shows that there are no regular train services in Pakistan except special trains moving Pakistani troops. It might be worth our while going rather deeper into this matter. While developments in Kashmir might explain this movement to some extent, the causes might be far deeper than these. I do not know whether your military intelligence are sufficiently posted with troop movements in Pakistan.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Sardar Baldev Singh
New Delhi

MEMORANDUM SUBMITTED TO SARDAR PATEL, DEPUTY PRIME MINISTER, ON 31 OCTOBER 1947 BY SHRI G. L. PURI, DEPUTY SPEAKER OF THE LEGISLATIVE ASSEMBLY, NORTH-WEST FRONTIER PROVINCE

With reference to my interview with you this morning I beg to submit the following memorandum for your consideration:

The part that certain sections of the NWFP and tribal Pathans have played in the recent invasion of Kashmir and Khan Abdul Qayum Khan, League Premier, NWFP's recent utterances regarding Kashmir are clear proof that there is an organized conspiracy on the part of the League-cum-British ruling clique to attack and capture a peaceful neighbouring State. These events have proved beyond a shadow of doubt that Sir George Cunningham, Agent to the Governor-General, Pakistan, for tribal areas, has utterly failed to keep in check the tribes. This is just what was expected. It appears

that the Pakistan Dominion is unable to maintain subsidies to the tribes to keep them quiet. They have instigated them to attack minorities in the Frontier and Kashmir State to enable them to fill their empty bellies with plunder and loot. We can be sure that after Kashmir they will not hesitate to create trouble in the East Punjab. In fact newspaper reports show that the Political Department has been encouraging tribesmen to settle in very large numbers near the Radcliffe Line [Radcliffe Line—Boundary line between India and Pakistan under award given by Sir Cyril B. Radcliffe] and asking them to "protect the property of Muslim evacuees from East Punjab." This amounts to a direct invitation to the tribes to carry on their plunder and raids in the East Punjab. It is quite clear from these facts that the financial burden of the tribal administration remains on the shoulders of the Indian Dominion and the transference of power to the two Dominions does not absolve the Indian Dominion of their great responsibility towards the tribes.

2. As you are aware, Mr. Jinnah by an autocratic order amended Section 51, sub-section 5 of the Government of India Act to empower himself to dismiss Dr. Khan Saheb's Ministry which still enjoys a substantial majority in the Legislative Assembly. In a House of 50 Dr. Khan Saheb commands 31 votes and Khan Abdul Qayum Khan, Leader of the League Party, only 15. Two by-elections are pending and Sardar Partap Singh, the only Akali member of the Frontier Legislative Assembly, is not likely to associate himself with the League Party in the present circumstances. It was under Mr. Jinnah's autocratic order that Dr. Khan Saheb's Ministry was dismissed and Khan Abdul Qayum Khan was called upon to form a Ministry though he had no backing in the House to do so. The developments since the formation of the League Ministry in the Frontier on 23 August have clearly proved that this usurper Ministry is not only a menace to the peace and tranquillity in the NWFP but a danger to world peace. Tragic happenings resulting in the murder of thousands of innocent Hindus and Sikhs, wholesale conversions, loot and arson on an unprecedented scale and the part which the various officials and the League Prime Minister played in this tragic drama, clearly show that the Ministry wanted and wants to get rid of every member of the minority community in the Frontier. The dislocation of trade and industry resulting from these disorders has brought upon the poor peasants and working classes throughout the province terrible misery and hardships. As stated by Mr. Abdul Qayum, every effort is being made to disarm every one of his political opponents and hound them out from the economic life of the province. There is no chance of the autumn session of the Assembly being called, nor is there any chance of Dr. Khan Saheb's challenge to hold general elections being accepted.

3. On the top of this black record of unconstitutional procedure, murder, loot and arson of the minorities and misery and starvation for the Pathan masses comes this open complacency in the uncalled for invasion of Kashmir. Khan

Abdul Qayum Khan's latest speech, in which he calls upon every Pathan to assist the raiders and appeals to every Muslim State to do likewise, does not leave even a shadow of doubt that this usurper is bent upon using his official position to engineer this attack and all the resources of the State are being harnessed to that end. It may be pointed out here that after the formation of the League Ministry many discredited British officials who all their lives had opposed the national movement and whose services Dr. Khan Saheb dispensed with, have been reimported into the province. A typical case is that of Major Drink, who was the Deputy Commissioner of Peshawar district when Pandit Jawaharlal visited the NWFP in October 1946. Dr. Khan Saheb suspected him of having organised a violent hostile demonstration at the aerodrome when Panditji arrived. He, therefore, threw him out of the province; but the League Ministry has brought him back as Chief Secretary.

4. Sheikh Mahboob Ali, ex-Political Agent, Malakand, who was accused of engineering a violent attack upon Panditji during his visit to Malakand and was suspended, has also been reinstated by the League Ministry. According to Lala Mehrchand Mahajan, Prime Minister, Kashmir, a Muslim ex-Political Agent has been behind the invasion of Kashmir by tribesmen. He is no other than Sheikh Mahboob Ali, who is notorious for the part he played in the Afghanistan rebellion against King Amanullah while he was working in the British Legation in Kabul.

5. The least that the Indian Union Government, which is championing the cause of Kashmir, can do is not to recognise this usurper Government in the NWFP. They should impose a strict economic blockade against this Government and should insist that a session of the Frontier Assembly be immediately called so that the Opposition, consitutionally, may have a chance to function. In case this demand is not met with and Dr. Khan Saheb and his party decide to throw out Qayum's Ministry by direct action and form a Government of their own, the Indian Union Government should at once recognise it.

6. Qayum's Ministry in the Frontier has not only proved a menace to Kashmir, but there is a growing feeling in Afghanistan that the Hitlerian tactics of the British-cum-League ruling group in the Frontier may jeopardise the peace and tranquillity in Afghanistan also. The appointment of Sir Giles Squire as Representative of the Indian Union in Kabul is interpreted as an unfriendly act because Sir Giles is a part and parcel of the ruling clique in the NWFP who are threatening the internal security of Afghanistan. The Indian Union Government should therefore take the earliest opportunity to establish their independent diplomatic relationship with Afghanistan and develop a joint policy with Afghanistan regarding the tribes who are being used by the British against every progressive and democratic neighbour.

7. To sum up, I submit that—

(1) Direct diplomatic relations with Afghanistan should at once be established and a joint tribal policy worked out.

(2) Immediate economic blockade should be imposed against League Ministry in NWFP.

(3) Mr. Jinnah should be asked to allow a session of the NWFP Assembly to be held, failing which Dr. Khan Saheb should be helped to throw out the League Ministry by direct action.

(4) Dr. Khan Saheb should be empowered to negotiate with tribes.

New Delhi

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Camp Residency Guest House
Jammu
7 November 1947

My dear States Minister,

I wish to explain the psychology of the people I am now supposed to deal with. His Highness is extremely bitter. I neither praise nor condemn his attitude, which is easily understood. The Prime Minister is a man of ability and straightforwardness. He is however an Arya Samajist with all the mentality and fanaticism of that body. The I.G. of Police is talkative and intelligent, but he does not impress me as reliable. The Governor [of Jammu Province], Mr. C. R. Chopra, is an intelligent man and I find him the most reasonable and unbiassed of officials here. The State's Brigadier Rawat is a good man according to Brig. Paranjpe under whose orders he is working. I have not had any occasion to test his mentality.

The refugees from West Punjab and of the local villages are extremely bitter. It is impossible to control their lust for vengeance and retaliation whenever possible. I arranged a scheme with the approval of the Governor for the evacuation of refugees from West Punjab to East Punjab. They have made the scheme unworkable by collecting opposite the Indian Brigade Headquarters causing confusion and trouble and endeavouring to board the military lorries en masse, with the result that the evacuation has been delayed. They refused to leave the ground occupied even though the Brigadier wanted it for camping the rest of a battalion expected here. The I.G. of Police telephoned me and I told him that, if necessary, force must be used, however regrettable, because the military must not be hampered. The refugees themselves, whom I

tried to address, declared that they had suffered untold grievances at the hands of the State Administration and preferred to lie down and die at the hands of the military. No appeals to them that without the military no evacuation was at all possible and if the military were hampered their lives were in great danger, affected them at all. The officials here fully realise the danger of all this kind of thing or at any rate agree with all the arguments I put forward while in my presence. I have a strong suspicion that they agree only seemingly with a few exceptions. Whether they agree or not, however, it is extremely difficult to cope with the refugees who can neither be made to understand nor will listen and are so blinded by self-interest that they would not have evacuation rather than see some fortunate person get ahead of them in the process of evacuation.

I have formed a high opinion of Brig. Paranjpe's abilities and straightforwardness. Even he however told me that his experience showed that a Muslim could not be trusted where the cry for religion was raised. He told me of two Muslim officers who worked admirably under him in what is now Pakistan and saved many Hindus and Sikhs, but when they came to Ferozepur and saw what had happened to their co-religionists, they went completely "haywire" and forgot all duty as officers. I can fully appreciate this Muslim attitude. It is not altogether blameworthy though again I neither praise nor condemn.

The troops, the Brigadier assures me, are unable to give protection to Muslim citizens in Jammu city. The Muslims were concentrated in two mohallas (localities). Mahajan tells me that he asked them to come out and reopen their shops and he would post pickets to prevent any danger to their persons. But perhaps rightly they realised that they could not be protected and refused to do so. Their concentration in two mohallas was certainly dangerous in the sense that shots used to be exchanged between them and Hindus round about and much alarm and panic caused. It was in these circumstances that it was decided to evacuate them to Pakistan. I went to their camp today and one man came up to me and said that he, a member of the National Conference and a loyal subject of His Highness, was being treated the same as a Leaguer. I believe he was telling the truth. But I can think of no method of keeping back selected persons and giving them protection from Hindus and Sikhs in the city. As you know already, the Muslim districts of Jammu near the frontier are really in the hands of raiders and mobs with a few pockets where State troops and non-Muslims are shut up and surrounded. In these

circumstances, it is impossible to promote friendly feeling between Muslims and Hindus or to give protection to Muslims in Hindu areas and I am unable to see what more can be done. Severe action involving the death of 150 attackers was taken yesterday. This, I believe, is the largest number of attackers ever shot. It was due to the death of a Rajput trooper that his comrades went mad and opened fire with L.M.G.'s and rifles, causing severe casualties. As far as I can ascertain, 300 Muslims were killed due to the connivance of the Sikh lorry drivers who deliberately stopped the lorries. The occupants in alarm jumped out and tried to escape making it impossible for the escort to guard them. The rest were brought back safely. As soon as this becomes known, I fear repercussions in Kashmir State and weakening of Sheikh Sahib's authority there. As I have repeatedly stated, it is impossible, however, to do more. These are the circumstances which make me feel that my mission is hopeless.

H. H. personally dislikes Sheikh Sahib and Sheikh Sahib's endeavours to try and maintain authority in Jammu without reference to H. H. are merely causing friction and tension. No result is obtained as he is not in touch and to appoint a Muslim I.G. of Police would probably mean that he would be murdered or his authority would be defied with the connivance of his own men.

The Muslim police have largely deserted and hence only Hindu police are functioning. I am glad to say that these police have dealt humanely with the evacuees. I have this from an evacuee, who does not inspire me with any confidence and who privately admitted that he was a Leaguer and a Pakistani. All this however is probably due to the personal influence of one or two officials and does not disturb the general picture which I have sketched above.

I got the wire informing me of Mr. Brijlal Nehru's going to Srinagar. As no reference was made to my going there and as Mr. Nehru was to contact me here, I did not go to Srinagar today either. I should be obliged if I am given clear instructions as to the evacuation of the second mohalla of Muslims from Jammu. I should also like clear instructions as to what is meant by the Kashmir Government. I would suggest that where Sheikh Sahib is concerned, he should be mentioned by name; where H. H. is concerned, he should be mentioned by name; and where the concurrence of both is desired, the phrase "Kashmir Government" might be used. I have already explained the difficulty arising in

tried to address, declared that they had suffered untold grievances at the hands of the State Administration and preferred to lie down and die at the hands of the military. No appeals to them that without the military no evacuation was at all possible and if the military were hampered their lives were in great danger, affected them at all. The officials here fully realise the danger of all this kind of thing or at any rate agree with all the arguments I put forward while in my presence. I have a strong suspicion that they agree only seemingly with a few exceptions. Whether they agree or not, however, it is extremely difficult to cope with the refugees who can neither be made to understand nor will listen and are so blinded by self-interest that they would not have evacuation rather than see some fortunate person get ahead of them in the process of evacuation.

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carrying out instructions where this phrase is used. It is not always possible to contact Sheikh Sahib on the phone and everyone here says the phone is tapped. Hence I cannot speak very freely over the wire.

I have, etc.,
Your most obedient servant,
Dalip Singh
[Agent to the Government
of India in J & K]

The Hon'ble Sardar Vallabhbhaiji Patel
Minister for States
New Delhi

Copy to: The Hon'ble Pandit Jawaharlal Nehru
Prime Minister
New Delhi

75

New Delhi
9 November 1947

My dear Dalip Singh,

Thank you for your letters.

I fully realise what a difficult and delicate situation you have to face, but I hope every one there will realise that in the difficult circumstances in which we are placed we have to tread warily. Our first aim is to preserve the State of Jammu and Kashmir. This can only be done by a spirit of accommodation, forbearance and statesmanship. Standing on old ideas of dignity and prestige will not avail us. We have to be particularly careful until the plebiscite is completed. We have to make sure that our interests are not prejudiced by anything that would produce adverse results in the plebiscite. Once the plebiscite is assured in our favour, we can tackle other matters in such a manner as might be most expedient and desirable. I hope therefore that you will impress this upon Mahajan and His Highness. Our every move at present should be directed to this end and whatever steps we take should be judged in this light.

Jawaharlal will himself be coming to Jammu and Srinagar day after tomorrow and we can leave the strained relations between His Highness and Sheikh Abdullah to be tackled by him when he comes.

With kind regards,

Yours sincerely,
Vallabhbhai Patel

Kunwar Sir Dalip Singh
Agent to the Govt. of India
Jammu & Kashmir

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New Delhi
9 November 1947

My dear Vallabhbhai,

Thank you for sending me the note on Kashmir [See enclosure.] It is interesting and shows insight. I entirely agree that the problem is very much a political one and an economic one. It is because of this that I have been anxious to send proper people there.

On the economic side we must send essential supplies, namely, salt, sugar, kerosene oil and tea. I might mention that tea can easily be arranged from Kangra where the special kind of tea, i.e., green tea, which has a market in Kashmir, is grown. We have also to help in getting out the produce of Kashmir which includes textiles, fruits, etc. I propose to look into this matter when I go to Srinagar. It might be desirable to station a representative of ours in Srinagar to control this traffic, both ways.

I do not know who the writer of the note is. He refers to his Association. Is this the Spinners' Association? I should like to know so that I can get into touch with him. He may be able to help in making the necessary arrangements.

I am returning the note to you.

Yours sincerely,
Jawaharlal

The Hon'ble Sardar Vallabhbhai Patel
New Delhi
Encl. 1

ENCLOSURE

EXTRACTS FROM NOTE PREPARED BY RAMADHAR ON CONDITIONS IN KASHMIR

. . . Along with military action some political action is also necessary to wean the Muslim masses out of the League influence. As things are at present one finds that there is a vicious circle at work in Kashmir, which will ultimately undermine all our efforts in the Happy Valley. The raiders, with the help of local Muslims, are harassing Hindus and Sikhs as also some National Conference men and this has its repercussions on the soldiers of our army who are Hindus and Sikhs. They in turn would be inclined to deal sternly with local Muslims where they are operating and this again will affect the attitude of Muslims who are at present supporting the National Conference. This process will be repeated to the limits of absurdity and no one can foretell the results that will follow in the event of a free and fair plebiscite. That is why a very careful consideration of the situation and some kind of political and economic measures are called for.

We all know that Kashmir is facing an economic crisis of unparalleled magnitude. For the last two years there has been almost no tourist traffic and therefore no trade; the Punjab disturbances and subsequent partition of the province and the inevitable results thereof have hampered the timber trade of the State which depended on the Western Punjab. Ever since the establishment of Pakistan, Kashmir has been practically cut off from the Indian Union and therefore there has been no exchange of commercial commodities between the two. This has brought about a virtual collapse of the economic structure of the State. No trader has any money to enter into even very minor transactions. Whatever he had has been locked up in the goods. Besides, essential supplies of the State of salt, sugar, cloth, kerosene oil and tea etc. have also been suspended which has brought the people of Kashmir to the brink of misery and ruin. If nothing is done to relieve the situation immediately the discontent and disaffection will spread and the party in power will begin to lose its ground all the more. Along with the defence of the territory this also must have the topmost priority. Both should go hand in hand. Our Association wanted to help the new Government in organising this and we submitted a scheme for this. But they too seem to be suffering from the traditional suspicion complex of the old regime. The result was that whenever we approached them in the matter the reply was "we have not taken any decision in the matter yet." I made it clear to them that we merely wanted to be helpful and had no idea of sharing the power they had

acquired. Even so they neither set up their own organisation nor availed of our offer to help them. From the 4th inst. onwards all the planes are returning empty but no effort has been made to send the merchandise of the State. This is in spite of the fact that we offered to load the planes within 20 minutes of their landing. They could have at least given it a trial. This is the only way one can function at revolutionary times. But I have probably deviated from the main point.

I personally feel that the Government of India should guide these affairs there for it is a tremendous undertaking that they have taken up in Kashmir. . . .

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New Delhi
10 November 1947

My dear Jawaharlal,

Thank you for your letter of 9 November 1947 about Kashmir. The writer of the note is Ramadhar of the Spinners' Association. I believe he is in Delhi. He is a level-headed and unassuming person and has considerable knowledge of men and material in Kashmir.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Pandit Jawaharlal Nehru
New Delhi

78

Jammu
9 November 1947

My dear Sardar Patel,

I am sending herewith a statement for perusal and publication, if necessary. A copy of this statement has been sent to the Director, All India Radio, for being broadcast as soon as possible. The plans will be sent shortly.

With kindest regards,

Yours sincerely,
Mehrchand

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

ENCLOSURE

Pakistan Radio and the responsible Ministers of Pakistan have been issuing broadcasts and statements to the effect that the present struggle in Jammu & Kashmir is a struggle of the people of the State against the aggression of the Dogra rulers. This statement is totally incorrect. His Highness and his Prime Minister are receiving countless telegrams from Muslim subjects of the State declaring their unflinching loyalty to the person of His Highness and protesting against this aggression by outside persons into the State engineered by the Paskitan Government. Not only mere offers of loyalty are coming forth but a large number of Muslim subjects have offered themselves for actually fighting the raiders even apart from those who belong to the National Conference under the leadership of Sheikh Abdullah.

A positive proof of the fact that the present struggle in Kashmir has been instigated by the agents of the Muslim League and is being strongly helped by the Pakistan Government has been discovered from the possession of certain Muslims who under the pretext of "safety" desired to go temporarily to Pakistan. As early as 1945 and 1946, a conspiracy seems to have been hatched for the establishment of a Muslim State by the Muslim League in Jammu & Kashmir. A number of these detailed plans for providing residences for the Muslim League leaders and for other activities in the State when it comes under the domination of the Muslim League have been discovered. These plans are authentic, bear proper seals and names and details in them clearly show that a plot was hatched against His Highness and his Government by the Muslim League agents in London and these plans were subsequently sent to India and were found in the possession of certain Muslim Government servants of the State. One of these was a design of a residence named "Masha-Allah" apparently for the Qaid-i-Azam. It consists of 6 sheets. There is a coloured prospective design and a chart C.S.J. calculations as well. The plan has been drawn by Haji Roshan Din of Bhopal according to specifications given by Norman F. Kingham of Wellesy Cheshire (England). This evidence conclusively proves that the designs of the Muslim League against Kashmir were hatched as early as year 1945 and the present act of aggression is the culminating point of those designs.

Let the world judge whether the State has acted fraudulently in adopting underhand methods for acceding to the Indian Dominion or the Pakistan progenitors are clearly guilty of the conduct which they now seem to attribute to others.

For the purpose of facilitating inspection by those who may wish to satisfy themselves of the genuineness of the plans of "Masha-Allah" buildings, one set out of the three recovered has been forwarded to the States Department, New Delhi, for being exhibited suitably at New Delhi. Another set is available for the purpose in the office of the Governor, Jammu.

Mehrchand Mahajan
Jammu & Kashmir Prime Minister

9-11-47

79

New Delhi
10 November 1947

My dear Mahajan,

Thank you for your letter dated 9 November 1947. I have gone through your proposed broadcast but feel that it had better not issue. We have already said more than enough to controvert Pakistan's propaganda. We should keep something up our sleeves and I suggest that the evidence which you have collected had better be so treated. I hope you will agree.

Yours sincerely,
Vallabhbhai Patel

Shri Mehrchand Mahajan
Jammu

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New Delhi
21 November 1947

My dear Sardar Sahib,

I enclose for your information a copy of a letter received from Mehrchand Mahajan, Dewan of Kashmir, regarding the general situation in the State.

Yours sincerely,
Baldev Singh[1]

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

[1] Defence Minister in Nehru Cabinet

ENCLOSURE

Jammu
18 November 1947

My dear Baldev Singhji,

I do hope that you will be soon visiting Jammu as the situation here also requires your personal attention. Though you are very busy, still I must encroach to a certain extent on your time in order to keep you in touch with the whole situation. I have personally discussed it with Major-General Kulwant Singh as well.

I wish to impress upon you the extreme necessity of more troops in Jammu. The emergency is the following:

1. There is satisfactory evidence to the effect that across the border on the Sialkot side a very substantial number of Pathans are being collected. Trenches are being dug. Women and children are being evacuated. It is difficult to say what the object of all this is, but we cannot lose sight of the fact that an attack on Jammu itself similar to the one that was made in Srinagar may be under contemplation. For the defence of Jammu, at present we have not even a full battalion available. That is hardly sufficient for the purpose.

2. The road from Kathua to Jammu, as you know, is within three to four miles of the border. Daily trouble and attacks and counter-attacks are going on there. You have not more than two companies on that border which again is insufficient in view of the preparations on the other side.

3. The border from Jammu to Bhimber and Mirpur is completely unprotected at the present moment. No army whatsoever is available for the purpose and unless Bhimber is recaptured immediately, you will require a much larger number of troops later to do so. A battalion or a battalion and a half is required for the purpose. Later on you will require much more troops than at present to get it back and save the Hindu and Sikh population in that part of the State. I have impressed [on] Major-General Kulwant Singh the necessity of this but it seems to me that things are not appreciated as much as they should be. Rajouri would have been saved and thousands of people would have been kept alive if what I told the authorities a week before was realised. The trouble about Mirpur would have been much less, had the military moved earlier towards that side. This has all been due to the fact that enough forces were not available in Jammu.

4. For internal security and to stop internal killing of Hindus by Muslims, I have no troops whatsoever. If you could give me two companies, that killing would have been easily saved.

5. We have already lost Gilgit. For the next six months we can do nothing to recapture it. There is another province of Ladakh, which, if not protected at the present moment, we may lose it and to recapture it, it will take a division. At present it may be saved by two or three companies. The position is this. At Kargil, which is a crucial point and where two bridges are important, we have a Sikh company. In Skardu, which is the winter capital of Ladakh province, we have only two platoons. The Chitralis or the Swati people may infiltrate into Skardu via the Rondu side. In order to save any such infiltration, it is necessary that the garrison at Skardu is strengthened. It could be so done by ordering the company at Kargil to proceed to Skardu but Kargil is also a crucial point and if a company or two could be sent there that will protect that province.

I have discussed all these matters with your Major-General and I also mentioned these to General Cariappa[1] when he was here. If you can push two or two and a half battalions more to Jammu, most of these matters may be solved. Later on, you will have to put in a much larger effort.

Please do not misunderstand that I have in any way underjudged what you have done so far or do not realise your own commitments and difficulties, but when you have undertaken a job it has to be done and done as expeditiously as possible. I shall feel grateful if you could kindly study the situation yourself as indicated by me and order more troops to be sent to Jammu immediately. I understand Major-General Kulwant Singh has also asked for more troops.

With kindest regards and best wishes. When should I expect you in Jammu? If you do not come, I shall have to come to Delhi.

Yours sincerely,
Mehrchand Mahajan

The Hon'ble Sardar Baldev Singh
New Delhi

1 GOC, Western Command

CHAPTER VII

SARDAR VISITS JAMMU

81

Jammu
22 November 1947

My dear Sardar Patelji,

Kindly excuse these few lines amongst your multifarious engagements. As advised I am quietly watching the trend of events without in any way interfering in the administration, but I wish to emphasise two things:

1. There should not be further delay in the formation of an Interim Government. Sheikh Sahib, I suppose, is in no hurry about it having got dictatorial powers which are being exercised in a dictatorial manner regardless of all rules and forms of law. This will not be in the interests of the administration. There is no reason why an Interim Government on the Mysore model should not be formed. I will however act as advised.

2. The Indian Dominion forces in Jammu province should be immediately strengthened and reinforced. At least two more battalions are needed. In spite of repeated signals nothing is coming through.

3. Would you advise me to visit Mysore and see Sir Ramaswami Mudaliar[1] and get a complete picture of the recent Mysore constitution and its working and its future plans?

I entirely depend on your advice.

With kindest regards,

Yours sincerely,
Mehrchand Mahajan

[1] Dewan of Mysore State, a former Member of Viceroy's Executive Council

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New Delhi
24 November 1947

My dear Mahajan,

Many thanks for your letter dated 22 November 1947.

I fully appreciate your position and realize how honourably you have fulfilled the agreements reached. I also agree that proper constitutional functioning of the Government should be secured as soon as possible. It is, however, unnecessary for you to go to Mysore for this purpose. The Mysore Dewan is here and, if necessary, we can always call him for advice and assistance. I am thinking of coming to Jammu for a day on 28 November. I wanted to come earlier but unfortunately my hands are full with urgent matters of State as well as the Assembly session. We can go into these matters further when we meet. I shall let you know the timings of my departure, arrival etc., as soon as I fix up the details.

With kindest regards,

Yours sincerely,
Vallabhbhai Patel

Mehrchand Mahajan Esq.
Jammu

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New Delhi
24 November 1947

My dear Sheikh Sahib,

Many thanks for your letter which I received the other day.

It is very nice of you to speak of us in such generous terms, but we feel that what we have done is what we owed to His Highness, yourself and the people of the State. We hope that with the combined effort of all of us, we shall succeed in ridding Kashmir State of these barbarous raiders and in ensuring that the people of the State make their unfettered choice of their future.

I have been thinking of coming to Jammu and Srinagar for some time past, but urgent matters of State here and the Assembly session have prevented me from doing so. I have found an opportunity of getting away on 28 November just for the day when the Assembly would not be sitting. But it is impossible for me to cover both Jammu and Srinagar, though I would have very much liked to visit the latter place as well. I am, therefore, having to content myself with a visit to Jammu that day. I shall be returning the same afternoon.

With kindest regards,

Yours sincerely,
Vallabhbhai Patel

Sheikh Mohd. Abdullah Sahib
Head of the Administration
Government of Jammu and Kashmir
Srinagar

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New Delhi
24 November 1947

My dear Jawaharlal,

From the enclosed cutting from the Hindustan Times of yesterday, it appears that in Srinagar people are under the impression that Rao Saheb Patwardhan is being sent to Srinagar as an official observer at your suggestion. I know nothing about it and would like to know if there is any truth in this report.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Pandit Jawaharlal Nehru
New Delhi

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New Delhi
26 November 1947

My dear Chaudhuri,

It has been suggested to H. M. that we should have a programme in Kashmiri consisting of news, topical information and suggestions and cultural songs and poems from the Delhi station. The present Jammu wireless unit is weak in comparison to

Peshawar Radio which apparently is broadcasting regular programmes. Would you kindly give very early consideration to this proposal? The importance of propaganda for Kashmir can hardly be overestimated.

Yours sincerely,
V. Shankar
P. S. to H. M. States

P. C. Chaudhuri Esq., I.C.S.
Director General
All India Radio
New Delhi

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Jammu
30 November 1947

My dear Sardar Patel,

I am sending a copy of my letter which I have written today to Pandit Jawaharlal Nehru for your kind information.

Yours sincerely,
Mehrchand Mahajan

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

Encl. 1

ENCLOSURE

Jammu
30 November 1947

My dear Panditji,

On my arrival here, I found that there was great panic in the town owing to the Indian troops abandoning Kotli after relieving the garrison and evacuating the population and also owing to Mirpur having been abandoned and destroyed by the enemy. These were two important stations in the State. It will not be very easy to re-occupy them unless strong action is taken.

On this side of Mirpur, the whole border from Bhimber to Rajouri has been occupied by the enemy who is pushing forward towards Akhnur. This has again created panic. The whole area has been evacuated and thousands of refugees are pouring into Jammu town where itself there is great panic and people are leaving the town as well.

The position now is this. Gilgit is in enemy hands. Muzaffarabad district is in their possession. The Poonch area, excepting the town of Poonch, is also in their occupation and the district of Mirpur and part of Jammu district have been taken by them. This is rather a very unsatisfactory state of affairs and it is only by a directive from you that these positions can be regained. It is felt here that with this vast area of the State in enemy hands, even negotiations on our side with Pakistan will not be very successful. It appears that unless we have a whiphand these negotiations may not be satisfactory.

The tentative reactions to the proposal which you gave me are like this:

"We are in the hands of the Indian Dominion and are bound with whatever decision they take. We have acceded to them and wish to remain with them. If the plebiscite goes against us, there is no other alternative but abdication. We shall never remain with Pakistan. The Hindu and Sikh population will be annihilated and as that eventuality is anticipated, Indian troops should not leave the State till that population is evacuated. There is pessimism about the result of the plebiscite here. Even if the plebiscite goes against Pakistan, it is felt that the trouble will still not end and the fighting will go on."

I intend to come to Delhi on 5 December for discussion with the Prime Ministers and the rulers of other States on the question of privileges of rulers. I will then personally explain to you the whole situation.

Yours sincerely,
Mehrchand Mahajan

The Hon'ble Pandit Jawaharlal Nehru
New Delhi

87

Jammu
30 November 1947

My dear Sardarji,

I hope you kindly write to Kherji [B. G. Kher, Chief Minister of Bombay] about Kashmir House, Bombay.

As discussed at your lunch H. H. is thinking of sending Yuvraj [Karan Singh] to America. Could the States Ministry arrange the following and in what time?

1. Plane from Jammu to Bombay. He can only go on the stretcher [chair]. The party will consist of four persons.
2. Plane from Bombay to the U.S.A. Service goes from Bombay to the U.S.A. H. H. does not like to send the prince from Karachi.

3. Passports for four persons.

With kindest regards,

Yours sincerely,
Mehrchand Mahajan

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

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New Delhi
2 December 1947

My dear Vallabhbhai,

I enclose a copy of a letter I am sending to the Maharaja of Kashmir by air today.

Yours sincerely,
Jawaharlal

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

Encl. 1

ENCLOSURE

New Delhi
1 December 1947

My dear Maharaja Sahib,

I have twice written to you during the last few days but each letter has been brief. The stress of work is so great that I find it difficult to write at some length. I presume Mr. Mahajan has given you some account of what took place here. Sheikh Abdullah will give you a further account.

2. We have arrived at a stage when we must come to rapid and more or less final decisions about Kashmir with the Pakistan Government. The choice is between some kind of a settlement and continuing on a more intensive scale the military operations that are going on. Obviously, from both the narrow and the wider points of view, a settlement is to be preferred, provided it is a satisfactory one. In some ways the time is suitable for a settlement, in other ways it is more difficult.

3. During the last week there have been discussions between the Governments of India and Pakistan about all manner of vital and controversial issues between us, quite apart from Kashmir. Surprisingly enough, we have come to a settlement in regard to nearly all of these, although previously we had failed to

do so. All financial issues have been thus resolved, and these were the most tricky ones. We had appointed an Arbitral Tribunal to give a final decision on such points of dispute. That tribunal has now very little work to do because we have arrived at a settlement ourselves.

4. Because of this I feel that the time is propitious for a settlement about Kashmir also. The pressure of events is all in favour of such a settlement and I feel sure that we should try our utmost to achieve it. The alternative is no settlement and carrying on this little war indefinitely and at the same time tension and conflict all over India with consequent misery to numberless persons. In Kashmir State itself these military operations against the raiders will mean, as they have meant, grave difficulties and suffering for the people of the State. Mr. Horace Alexander, [noted British pacifist who took keen interest in India] who has just come from Jammu, informed me that the raiders are burning many villages and, no doubt, killing people. The terrain is such that it is not easy for large-scale armies to function satisfactorily. The land is all in favour of the raiders' tactics. With the approach of winter our difficulties increase. The only policy we can adopt is to protect the Kashmir Valley and the Jhelum Valley route on the one side, and Jammu and the neighbourhood on the other, holding in check the raiders in the Poonch area. It is difficult for our troops to drive out the raiders from the whole of the Poonch area during this winter season. They may be hit occasionally and repulsed. Air action will also be difficult during winter.

5. All this is not through lack of troops but rather because of the terrain and the climate. In spring, we could drive out the raiders from the Poonch area also. But that means another four months; and meanwhile the raiders and the Poonchi rebels will remain in possession of that area and harass the people of the State. Pakistan troops will be stationed on the Sialkot and other borders and will thus constitute a menace to the State. That is the military appreciation. Purely in a military sense we are not frightened of this position; but, as I have said above, we cannot undertake to deal with the whole Poonch area during winter. Meanwhile the stress and strain of conflict will fall on the State and the economic conditions of the State, already bad, will rapidly deteriorate. It is important that we remember this economic background, for even military persistence depends largely on economic conditions and the morale of the people.

6. While a settlement is good and must be sought after, obviously we cannot do so to the injury of Kashmir or India. We have thus to balance various factors. Even if a settlement comes, there is no surety of good behaviour on the Pakistan side and even less on the part of the tribes. We have thus to be wary and vigilant.

7. You must have seen the draft proposals which were discussed by us with Mr. Liaquat Ali Khan. These involve a plebiscite under UNO. I know that

you do not like the idea of a plebiscite; but we cannot do away with it without harming our cause all over the world. We are bound down to that proposal provided, of course, there is a settlement.

8. If there is going to be a plebiscite, then obviously we have to work in such a way as to gain the goodwill of the majority of the population of the State, which means chiefly the Muslims. The policy recently pursued in Jammu province has alienated the Muslims there very greatly and has created a great deal of ill-feeling in certain parts of the country. The only person who can effectively deal with the situation is Sheikh Abdullah. I do not suppose he can convert the confirmed Muslim Leaguers and the like. But there is always a middle mass of opinion which is influenced by events and experiences.

9. From our point of view, that is India's, it is of the most vital importance that Kashmir should remain within the Indian Union. I need not go into the reasons for this as they are obvious, quite apart from personal desires in the matter which are strong enough. But however much we may want this, it cannot be done ultimately except through the goodwill of the mass of the population. Even if military forces held Kashmir for a while, a later consequence might be a strong reaction against this. Essentially, therefore, this is a problem of psychological approach to the mass of the people and of making them feel that they will be benefited by being within the Indian Union. If the average Muslim feels that he has no safe or secure place in the Union, then obviously he will look elsewhere. Our basic policy must keep this in view, or else we fail. We have to take a long view of the situation and not be carried away by momentary urges nor by personal considerations.

10. The present position is that in Kashmir proper the mass of the population, Muslim and Hindu, is no doubt in favour of the Indian Union. In the Jammu area, all the non-Muslims and some Muslims are likely to be in favour of the Union. In the Poonch area, however, there is little doubt that the mass of the population is likely to be against the Indian Union. In the balance probably an overall majority will be in favour of the Union. But this depends entirely on the policy to be pursued during the next few months. I repeat this because this is of the highest importance and we must face facts as they are.

11. The military situation is not too good, though I have no doubt that we can hold it in check. But we cannot expect to do much more during the winter. Meanwhile all manner of developments are likely to take place all over India and Pakistan and they are likely to govern the situation. Whatever these developments may be, we have to be prepared for them and at the same time take a realistic view of the situation.

12. In discussing a possible settlement with Pakistan, these are the proposals which have already been considered and which Mr. Mahajan took with him. Some people have suggested that Kashmir and Jammu provinces must

be split up, one going to Pakistan and the other to India. I do not at all like this for many reasons, among them being that it is Kashmir that is of essential value to India. Then it has been suggested that the Poonch area might be cut off and go to Pakistan. There is something in this as that area is linguistically allied to the Punjab. It has also been suggested that Kashmir State as a whole might be more or less an independent entity with its integrity and defence guaranteed by India and Pakistan. This is likely to give trouble in the future and the conflict between India and Pakistan over Kashmir might well continue.

13. As I was dictating this letter I received Mr. Mahajan's letter of 30 November. In this he mentions that your reactions to various proposals are that you are prepared to leave the future in the hands of the Indian Dominion, but if the plebiscite goes against the Union, you will have no alternative but to abdicate. In no event do you wish to remain with Pakistan. I appreciate this attitude.

14. Further it is feared that if the State accedes to Pakistan ultimately, the Hindu and Sikh population will be in danger of being annihilated. I do not think you need fear any such result because, whatever happens, we cannot see the destruction of Kashmir in this way or the annihilation of any part of the population, whether Hindu or Muslim or Sikh. Effective steps can be taken against any such possibility. The question does not arise at present as the immediate issue is a military one and, if a settlement is arrived at, a plebiscite many months later. During this period our troops must necessarily remain here and the State Forces and Home Guard should be built up. Economically the State should be helped.

15. You have mentioned the possibility of your abdication. The question of Kashmir is, of course, not a personal one and concerns the fate of nations. If you feel that it is desirable in the interest of the State and the people there to abdicate or to leave the State for a while, I have no doubt you will do so because the interest of the people will be uppermost in your mind. In that way, as a matter of fact, you might even draw nearer to your people.

16. From Mr. Mahajan's letter I gather that you leave this matter of negotiations with Pakistan entirely in the hands of the Indian Union. I think you are wise in so doing because there is no other way of dealing with the situation. I have had long talks with Sheikh Abdullah and known his general viewpoint. That is highly important as he can judge best of the reactions of his people and what can be done with them and what cannot. We have to rely on him in regard to every step that we might take, otherwise that step will be infructuous.

17. The situation in Kashmir is, of course, a difficult one. We all know that. But I can assure you that none of us is terribly disheartened about it. We have faced many difficulties before and we shall face this and overcome it.

The all-India position is definitely better so far as we are concerned. The whole point is how to proceed in Kashmir so as to lay the basis of future happiness and prosperity for Kashmir and the Indian Union and to end the fighting if this can be done with security and honour.

18. The economic position of Kashmir is of vital importance and, therefore, it is necessary that Kashmir goods should come to India and find a market here and Indian supplies should go to Kashmir. Kashmir officials have discussed these questions with our officials here and some arrangements are being made. I hope these will be expedited and an immediate exchange arranged on a businesslike basis. This will immediately be a visible evidence of benefits before the Kashmir people and will affect them powerfully as well as strengthen the State's economy. That economy has been shattered and every step must be made to prevent wasteful expenditure. Such an effort will also impress the people. When the people are suffering, any overhead waste is bitterly resented.

19. In my brief letter today I referred to the desirability of forming an Interim Government very soon in Kashmir. I know that you have been anxious to do so. I think that the time has come when there should be no further delay in this matter and a stable government should be established. This will have a good effect on the people of Kashmir, and others outside Kashmir will also realise that enduring arrangements are being made there. We have agreed that this Interim Government should be on the model of Mysore. In Mysore the leader of the popular party was asked to choose his colleagues, he himself being the Prime Minister or Chief Minister. The Dewan was also one of the Ministers and he presided over the meetings of the Cabinet. In following this precedent, Sheikh Abdullah should be the Prime Minister and should be asked to form the Government. Mr. Mahajan can be one of the Ministers and can formally preside over the Cabinet. But it would introduce confusion if Mr. Mahajan continues to be styled as Prime Minister. This Interim Government, when formed, should be in full charge and you will be the constitutional head of that Government.

20. We have to deal today in Kashmir, as elsewhere, with the minds of people. We have to influence them by convincing them of changes in policy and outlook so that they might realise that something entirely new and to their advantage has taken place. They have to feel that they themselves are functioning in Government through people whom they trust. Obviously the only possible policy in Kashmir State (and I would say in the whole of India also) is a non-communal policy where every citizen is treated equally and there is absolutely no harassment of one community against another. In the prevailing atmosphere if this fact had been realised and acted upon, our problems in India and Kashmir would have been far simpler. We have a hard task ahead, but we have also the strength and energy needed for it. We are going, I have little doubt, to solve our problems one by one. But we shall

do so only if we proceed on the right lines which we can justify to the world. If we act rightly, we need not be afraid of the consequences.

With my regards to the Maharani Sahiba,

Yours sincerely,
Jawaharlal Nehru

His Highness
The Maharaja Bahadur of Jammu and Kashmir
Jammu-Tawi

CHAPTER VIII

RULER'S REACTION

89

New Delhi
10 December 1947

My dear Gopalaswami Ayyangar,

I have seen your letter dated 9 December 1947 addressed to H. H. the Maharaja of Kashmir. (See enclosure)

I am afraid you have probably misunderstood me on these matters. The proposals which you have made may ease matters from the point of view of Sheikh Abdullah, but whether they would ease matters from the point of view of the Maharaja is difficult for me to say. We have to bear in mind that it was we who suggested to the Maharaja to agree to the Mysore model and unless the Maharaja can be persuaded to agree to alter it, I feel that we cannot insist on him to accept any change. We have also to take into account that it is the Maharaja who has entered into a commitment with Mr. Mahajan and, therefore, it is for him to decide whether or not he could release himself from that commitment. All we can do is to persuade him to agree to this position.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Mr. N. Gopalaswami Ayyangar
Minister without Portfolio
New Delhi

ENCLOSURE

New Delhi
9 December 1947

My dear Maharaja Sahib,

As desired by your Highness when Pandit Nehru and I were in Jammu last Saturday, I indicate below for your consideration my views on the changes which, in the present critical situation of the State, are immediately called for in the existing constitutional and administrative set-up there.

2. For the reasons which we explained to you in person, the present arrangement under which the organisation and control of the administration to meet the emergency are in the hands of a separate head of Emergency Administration with honorary heads of departments chosen by and working under him and the ordinary civil administration which nominally continues with a Council of Ministers with a Prime Minister as its chief, but does not in reality function at all with any effectiveness, is not only unworkable any longer but is fraught with both danger and disaster. Emergency administration and ordinary administration cannot be segregated from each other. They are so inextricably intertwined that it is imperative that there should be the maximum unity of policy and control over both, if the emergency is at all to be successfully handled. To keep them segregated is to invite friction and the consequent confusion and chaos. I do not wish to elaborate this point further especially as you entirely agree in this view yourself.

3. The obvious solution is the formation without further loss of time of an Interim Government, a step to which again you have already agreed. The Mysore pattern was mentioned when you, Sheikh Abdullah and Mahajan agreed to the setting up of an Interim Government. I have given much thought to this and, after examining all its aspects, have come to the conclusion that, while the broad outlines of the Mysore pattern should be adhered to, it is necessary that some adjustments and modifications should be made in it, in order to adapt it to the situation as it has developed in Kashmir. The events that have compelled the transfer of power to Sheikh Abdullah, the facilities he needs for exercising that power for the maximum good of the State, the alignment of communal and political opinion in the State, the unrepresentative character of the present membership of the Praja Sabha and, above all, the supreme need of encouraging and expediting the triumph of the elements which stand for a national, non-communal, secular State over those which seek to establish a communal, theocratic Muslim State in Kashmir, demand a slight reorientation of the Mysore pattern. I have no hesitation in

saying that realising, as you no doubt will, the full implications of all that I have condensed in the previous sentence, you will not only be doing the right thing but acting with wisdom in agreeing to such reorientation.

4. I would indicate briefly the steps that seem to be immediately needed.

(1) In place of the present Emergency Administration and the continuing Ministry, a unified Interim Government should be set up in the shape of a Council of Ministers under the Jammu and Kashmir Constitution Act.

(2) Sheikh Abdullah should be appointed Prime Minister and the other Ministers should be chosen on his advice.

(3) I believe that under the Jammu and Kashmir Constitution Act—unless it has been substantially amended since I left Kashmir—the entire civil administration of the State is vested in the Council subject only to rules of business and allocations of portfolios approved by the Ruler on the Prime Minister's advice. The Ruler may also, I think, place restrictions on the powers of the Council by special directions in respect of certain subjects.

(4) The new Council of Ministers will have to include an Army Minister, but conventions should be established and understandings arrived at with Sheikh Abdullah as to the manner in which the Army Minister is to function vis-a-vis the Ruler who, by virtue of his position, is the Commander-in-Chief of the State Forces. It will not be possible in the present circumstances in Kashmir to contemplate a Cabinet of the State having nothing to do with the Army; that will incapacitate it altogether in dealing with the emergency, in expelling the invader and in putting down internal rebellion.

5. I am not going into further details; these will be best tackled in personal discussion.

6. The Interim Government will be responsible for the time being to the Ruler. Though its personnel need not be derived from the existing Praja Sabha, it should be representative of the national-minded elements in the population of the State and will presumably have, among political parties, the largest volume of public support.

7. Your Highness has already recognised the inevitability of the establishment of responsible government in the State. The steps necessary for fashioning a constitution are perhaps not so immediately urgent; but from every point of view it is imperative that towards the Interim Government you should from its inception function as the constitutional head of a State and act on its advice, though like other such heads, you will place your knowledge and experience at the disposal of the Ministers and influence their advice, if you felt that they required guidance. In such matters trust on either side begets trust in the other and opportunities for friction are effectively avoided.

8. The position of Mr. Mahajan in this new set-up requires to be squarely faced. I am satisfied after my talks with Sheikh Abdullah in Jammu and Mr. Mahajan in Delhi

(a) that Sheikh Abdullah cannot reconcile himself to the interposition of any person between Your Highness and himself as your Chief Constitutional Adviser; and

(b) that Mr. Mahajan would hardly appreciate being a member of Abdullah's Cabinet or functioning outside the Cabinet without power or responsibility as a mere personal adviser to you.

9. The only solution of this difficulty is for Mr. Mahajan to terminate his connection with the State. I have reason to think that Mr. Mahajan will probably feel relieved if he is saved from the embarrassment of being pressed to carry on as he is doing now.

10. I would like to mention that I have had the advantage of discussing the whole matter with Pandit Jawaharlal, Sardar Patel and Sardar Baldev Singh and all of them agree in the views I have indicated above as regards the immediate establishment of the Interim Government and also as regards Mr. Mahajan.

11. Pandit Jawaharlal, Sardar Baldev Singh and I were yesterday in Lahore and along with Lord Mountbatten had a five hours' talk with Messrs. Liaquat Ali Khan and Ghulam Mohammed of the Pakistan Cabinet about the Kashmir situation. We are convinced that the Pakistan authorities are thick as thieves with the rebels and raiders in Kashmir and are actively encouraging and assisting them. In spite of all that we could say by way of fact and argument, they would not agree even to the issue of a statement asking the raiders to withdraw from Kashmir, to prohibit them even on paper from using Pakistan territories as a base of operations for their campaign in Kashmir. On the other hand, they pretended that the whole of the North West Frontier was aflame with hatred against Kashmir, and that the tribesmen had gone out to Kashmir to support fellow Muslims who, they honestly believed, were being oppressed by a cruel and tyrannical Maharaja. They added that, even if they by a public statement asked the raiders to desist from passing through Pakistan territories to Kashmir, the tribesmen would probably not listen to them and that they themselves were powerless to implement any assurances in that regard made to us or effectively to prevent Pakistan areas being used as bases for concentration of invaders and rebels. They made it plain that they wanted the Maharaja's rule to end, the Indian troops who are now in Kashmir to be entirely withdrawn from there and Sheikh Abdullah's administration to be replaced by what they called a 'colourless regime' under the headship of neutral administrators before they could agree to a plebiscite even under UNO auspices. They are out to upset all that has been achieved in Kashmir during the recent weeks and to create conditions there which would ensure the vote of

the people being in favour of accession to Pakistan when the plebiscite comes to be held. I feel that Kashmir's only chance to be saved from what I consider to be a calamity of this description is for Your Highness to act courageously and generously towards those elements amongst your subjects, both Muslim and Hindu, who are nationally-minded and whose objective is the establishment of a responsible government in comibination with constitutional monarchy. If the designs of Pakistan are not to be effectively countered by mobilising within the State the strength of the national forces now operating therein, the all-out effort that the Dominion of India is now making will lose all its justification, the safety and integrity of the State will be gravely endangered and the monster of communal hatred will rear its head with its inevitable aftermath of massacres and unspeakable outrages. It is my visualisation of this grim prospect that is responsible for my giving this considered advice to you. I need hardly mention that I would not give any advice to you in respect of Kashmir State unless I sincerely felt that that advice was in the best interests of the population of the State and its Ruler.

12. I can arrange to come over to Jammu next Saturday, prepared to stay there on that day and the following day so as to enable me to return here on Sunday evening. I request you will please send me a telegram on receipt of this letter if this will be convenient to you. I shall, on receipt of the telegram, communicate with Sheikh Abdullah and ask him to be in Jammu during my stay there so that he may be available for consultations.

With kindest regards,

Yours sincerely,
N. Gopalaswami[1]

His Highness the Maharaja of Kashmir
Jammu

90

New Delhi
10 December 1947

My dear Mahajan,

With reference to the letter which Gopalaswami has written to His Highness, I am sending herewith a copy of the letter which I have written to Gopalaswami (See 89). You might show it to

1 Gopalaswami Ayyangar, Minister without Portfolio in Nehru Cabinet. A former Prime Minister to Maharaja Hari Singh

His Highness. If your presence is an obstacle, I am sure you will not hesitate to accommodate them.

Yours sincerely,
Vallabhbhai Patel

Mehrchand Mahajan Esq.
Prime Minister
Jammu

91

Jammu
11 December 1947

My dear Sardar Patelji,

I am indeed grateful for your kind letter of the 10th with a copy of the letter you have written to Shri Gopalaswami. I have shown it to H. H. and he very sincerely expresses his gratitude for this kind act.

As regards myself, if I am the obstacle, let it be removed. I had said so to H.H., to you and to Panditji. I came here to serve Kashmir and H.H. and if I am regarded as doing disservice I do not wish to stay here; but I do assert that I have brought Abdullah and H.H. more together than anyone else; and have not only got him released but installed him [on] an autocratic gaddi. I am sure there will be a deadlock unless someone is there to bridge the differences. Trust cannot be brought about by force and command and threats. I do not want to put in a special pleading on my behalf. I think you by now know what I am worth; therefore please do let me go away if that alone is the solution. But I should get my release from H.H. Without his word I will not go, as he thinks I am letting him down, but he will require someone else even if I go. I feel highly embarrassed that I have become the issue of a political controversy.

With best regards,

Yours sincerely,
Mehrchand Mahajan

Jammu-Tawi
11 December 1947

My dear Sardar Patelji,

I hope you had a good trip to Cuttack. Mr. Gopalaswami came here and had a discussion with H.H. He is writing a reply to him in a day or so. As I wrote to you, I am under your command. I came here with your advice and I will quit as and when you advise. The difficulty is H.H.'s attitude. He insists on my staying, while in the situation that has arisen I do not wish to stay. I seek your advice and if you advise I should go, kindly do get me released nicely and honourably. I do not wish to remain in a state of suspense.

The administration here is on Hitlerian methods and is getting a bad name and the sooner I am out the better, as I do not in the least wish to be associated with gangster rule. There is no rule of law at all. Take a few instances out of a large number:

(1) The High Court is not being allowed to function. C.J. [Chief Justice] asked that H.C. [High Court] should open in Jammu. The order is not being carried out. For over a month and a half there is no High Court. One judge is but idling away, the other is at Srinagar and C.J. is in Calcutta. Head of Administration has no power to interfere in the High Court's business, yet he is doing all this.

(2) Governor of Jammu was transferred to Srinagar and then suspended and interned. Large number of officers are in jail. I suggested a commission to enquire into charges but the order was not yet [carried out]. People and high officials cannot be kept in jail indefinitely and without trial and enquiry and even a remand.

(3) Large number of other persons are confined in jail. No enquiry or trial or orders. It is worse rule than in any autocratic country.

(4) H. H. ordered offices should come to Jammu. No heed is paid to his orders. A month has passed.

(5) Abdullah discussed with H.H. about certain officials whom H.H. suspected as Pakistanis and he retained

them. They have been returned to office and one appointed Governor against H.H.'s wishes and express direction.

(6) Laws are being made by Abdullah himself.

These are a few instances of misrule. They can be multiplied. Threats are held out of arrest to everyone including myself. How long will this misrule last?

With kindest regards,

Yours affectionately,
Mehrchand Mahajan

Sardar Vallabhbhai Patel
New Delhi

93

New Delhi
12 December 1947

My dear Sardarji,

Thank you very much for your letter regarding Kashmir dated 10 December which I saw only late in the evening yesterday.

There is no question of our imposing anything on the Maharaja. As you must have noticed and as I explained at the informal meeting of the Cabinet, the whole tenor of my letter to the Maharaja was calculated only to persuade him to accept what we consider to be the proper thing to do in the existing circumstances.

Yours sincerely,
Gopalaswami

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

The Palace
Jammu-Tawi
17 December 1947

My dear Sardar Patel,

I am sending herewith a copy of a letter that I have written to Shri Gopalaswami for your perusal. I depend on your advice in this matter.

I hope you got my letter about the Yuvraj's[1] visit to America.

With kindest regards and best wishes,

Yours sincerely,
Hari Singh

Sardar Vallabhbhai Patel
New Delhi

ENCLOSURE

The Palace
Jammu-Tawi
17 December 1947

My dear Gopalaswami,

I am thankful to you for the visit you paid us from Saturday to Sunday last. I was glad to have a free and frank talk with you in a cordial and friendly manner regarding reforms to be introduced in the State.

On the various points that were discussed between us I record for your information my considered and final views on them.

As regards the formation of an Interim Government, I pointed out that the Mysore model was not my idea but was suggested by the Government of the Indian Dominion. The Prime Minister of India wrote to me in the accession letter that I should form an Interim Ministry on the Mysore model.

Previous to this, negotiations towards grant of responsible government were going on between political parties and my Prime Minister. The reforms then acceptable to the parties did not go as far as the Mysore model.[2]

1 Karan Singh, now Minister in Union Cabinet
2 Scheme of reforms adopted by Ruler of Mysore State

When I received the Prime Minister of India's letter, I accepted the Mysore model because my view was that the early formation of a popular Ministry was necessary in all States, and the Rulers should grant responsible government to their people. I stand by the promise and declaration I made. Sheikh Abdullah in some of his speeches—that came to my notice—accepted the Mysore model as agreed to by me.

As the matter now stands, I am firmly of the opinion that an Interim Ministry should be formed on that model and I am not prepared to deviate from it except in very minor matters.

The most important essential of the Mysore model is contained in two schedules : Schedule I & II. Matters contained in Schedule II are reserved by the Ruler to himseff. The Ministry cannot interfere in those matters. This Schedule contains the following subjects:

a. The Ruler and his prerogatives, ruling family, succession to the throne, palace and privy purse.

b. Constitutional relationship of the State with the Dominion of India as defined in the Instrument of Accession and constitutional relationship on all matters not governed by the Instrument of Accession.

c. High Court and appointment of judges, Chairman and Members of the Public Service Commission, and Auditor-General.

d. The military.

e. Protection of legitimate interests of minorities.

f. Summoning and dissolving of the Legislature.

g. Superintendence, direction and control of elections.

h. Residuary powers and emergency powers in case of breakdown of the Constitution.

All these matters must be reserved subjects in our new Constitution and the Interim Ministry cannot interfere in these matters.

The second matter in the Mysore Constitution is that the Interim Ministry is to function as a Cabinet and act along with the Dewan. The decisions of the Cabinet are to be arrived at by a majority vote. The Dewan is to preside over the meetings of the Cabinet. The leader of the popular party in Mysore is designated as Chief Minister.

As suggested by you, I am prepared to designate him as Prime Minister and my nominee as Dewan but I must insist that the Dewan should preside over Cabinet meetings. I agree to your suggestion for a change of designation in spite of the fact that in the fundamental Letter of Accession that I wrote to Lord Mountbatten and in his reply to me it is stated in clear terms that Sheikh Abdullah will form an Interim Government and work with my Prime Minister. It was then understood that Sheikh Abdullah will not be Prime

Minister. I am prepared to make an alteration in this commitment because in your opinion it is necessary to satisfy the view of Sheikh Abdullah.

As regards meetings, I feel that unless the Dewan is a member of the Cabinet and presides over the meetings, no man of standing or position could accept the post of Dewan and as I mentioned to you I must insist on having a Dewan who enjoys my full confidence. This is in accordance with the Mysore model. Moreover my commitments made before Sheikh Abdullah's administration came into being have to be respected.

You said just before leaving for Delhi that the Dewan should be a person who enjoys my confidence and can work with Sheikh Abdullah. But I cannot give the veto of this appointment to Sheikh Abdullah. The Dewan must be a man of my choice who enjoys my confidence and I cannot allow anyone to sabotage my selection under any excuse.

In the letter of 1 December, Panditji wrote to me that the Dewan should formally preside over Cabinet meetings and be a member of the Cabinet. I do not see that anything has happened between 1 and 10 December to alter the situation.

The last matter in the Mysore Constitution is the formation of a Constituent Assembly to draft an Act for responsible government. The Constituent Assembly has to frame an Act in accordance with the principles enunciated in Schedule I of the Mysore Constitution. This schedule contemplates a bicameral Legislature. It also mentions the franchise and the constituencies and provides specially for protection of the rights of depressed classes and minorities. It also lays down that the Council of Ministers formed from the elected members of the Legislature will advise on all subjects except on those contained in Schedule II, and that members of the minority communities must find place in the Council of Ministers which will have to be jointly responsible to the Legislature.

In my view the Praja Sabha should be entrusted with this work and declared a Constituent Assembly, of course after fresh elections have been held because the present elections were held when the National Conference was not in the picture. The Praja Sabha after it has been newly elected should be charged with that duty but can have no power to interfere with the reserved subjects.

The matter of the number of Ministers should also be considered. In Mysore there are nine Ministers, six nominted by the Congress and three by other parties. In my view six Ministers are quite enough for Jammu & Kashmir State, specially as the Muslim Conference, I understand, will not be asked to join the Ministry as it has supported Pakistan. The leader of the National Conference should be asked to form a Ministry. The leader of this party should also take Ministers from the minority communities, who are not represented on the National Conference, and from Jammu province which is not adequately represented on the National Conference.

As I mentioned to you, it is essential that the Interim Government on the lines suggested above, i.e., on the Mysore model, should be immediately formed, as the present state of affairs which is virtually one of dictatorship is causing considerable discontentment amongst a great number of people and I am consequently not satisfied with this administration although I don't wish to interfere. I would ask you to ask Mr. [V.P.] Menon to kindly draw up a proclamation for my benefit on the lines of Mysore, so that I may issue a proclamation as soon as possible and invite Sheikh Abdullah to suggest a panel of names for the formation of a Ministry.

Concerning the suggestion of proportion of Muslims in the Army, my considered view is that this is the most inopportune time to make any sort of a declaration on this point. In the Jammu and Kashmir Army, the proportion of Muslims was 1/3rd. It is well known how the Muslim officers and other ranks behaved during the crisis. Most of them deserted; others had to be disarmed. Some of the deserters ran away with considerable sums of money; and some with arms and ammunition. The deserters are fighting against us. It is difficult to discover many loyal Muslims in Jammu province or the Poonch area at the present moment. No question can arise at present of taking them in the Army. As regards Kashmiris, if suitable men are willing to come forward, I may give a trial to this experiment, but the proportion and policy cannot be declared in the present circumstances. The defence forces must be loyal, if they are disloyal at a time of emergency, then it is not worth keeping an army, as such an army will defeat itself.

With kindest regards and best wishes,

Yours sincerely,
Hari Singh

PS.

To save time I am sending this letter by hand of the Comptroller of my Household. I am sorry for the delay but I have not been well for the last day or two.

95

22 December 1947

My dear Gopalaswami,

I have seen your express telegram dated 19 December 1947 addressed to the Premier, East Punjab, and General Thimayya regarding the Kashmir Civil Administration's requirements of 150 motor vehicles.

2. I feel that this question should have been referred to and dealt with by the Ministry of States who would, if necessary, have utilised your Ministry and made the desired arrangements. I

would, therefore, suggest that the relative papers may now be transferred to the States Ministry and in future the Kashmir Administration may be asked to deal with that Ministry direct.

Yours sincerely,
Vallabhbhai Patel

96

Ministry without Portfolio
New Delhi
22 December 1947

My dear Sardarji,

I acknowledge with thanks receipt of your D.O. of date re: my instructions regarding the supply of motor vehicles to Kashmir.

2. It came upon me as somewhat of a surprise, especially from you. I had thought my intervention in urgent matters of this nature relating to Kashmir State, to which I had made two visits at request, would be welcomed. When requests for help of this nature are made to me, it is the easiest thing in the world for me to refer the authorities making the requests to the Ministry concerned. I recognise, however, that strict official correctness would require the course suggested by you.

3. If, as Minister without Portfolio, I can, in cases of this kind, act merely as a post office between a Ministry with a portfolio and persons or authorities outside, the situation is one which I cannot regard as consistent with my position as a Member of the Cabinet.

4. I shall, as desired by you, issue instructions to my office to transfer the papers relative to the motor vehicles matter to your Ministry for being further dealt with at its discretion. Your Ministry will, I trust, directly attend to any further arragements that may be required in connection with this matter and will, I hope, not seek to utilise my Ministry for the purpose.

5. I note further that you desire that in future the Kashmir Administration may be asked to deal with your Ministry direct. I am the last person to wish to poach into any other Ministry's preserves and shall proceed to disconnect myself and my Ministry from all matters relating to Kashmir, including the negotiations now in progress connected with the setting up of an Interim Government there.

6. You are a frank and direct man and will, I am sure, appreciate my frankness and directness in this letter.

Yours sincerely,
N. Gopalaswami

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

97

New Delhi
23 December 1947

My dear Gopalaswami,

I am rather pained to read your letter dated 22 December 1947.

It was far from my intention to do anything which would cause annoyance to you. My letter was intended merely to ensure that the subject matter was dealt with in the Ministry concerned. There is a background to it. A transaction of as large as Rs. 20 lakhs was put through by the Prime Minister's Secretariat with Sheikh Abdullah without the Ministry concerned coming to know of it until at a late stage. I do not know whether you are aware that the Ministry of States has its own Financial Adviser and therefore it makes it all the more incumbent that a transaction involving any financial commitment either on the part of a State or of ourselves should be centred in the Ministry of States. What I wrote to you was precisely on the same lines as I wrote to the Prime Minister in regard to the matter referred to by us. There was no desire—indeed I should be the last person—to insist on official correctness for the sake of correctness.

2. I hope I have made my position clear, but if you still have reason to be dissatisfied with the line I have taken, I would rather withdraw my letter and let you deal with matters as you deem best than give you any cause for annoyance.

3. I should also explain that my letter was intended to cover, as indeed the origin of the whole matter would indicate, transactions of ordinary administration between the Kashmir authorities and the Government of India. There was no question of its affecting in any way the conduct of negotiations over which you are engaged; that the Prime Minister is already managing

with your collaboration and in consultation with me wherever necessary in supersession of the normal ministerial responsibility.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble N. Gopalaswami Ayyangar
New Delhi

98

New Delhi
23 December 1947

My dear Vallabhbhai,

Gopalaswami Ayyangar has sent me copies of correspondence which has passed between him and you last night regarding 150 motor vehicles being sent from East Punjab to Kashmir.

I must confess that I am greatly surprised to read this. I do not appreciate the principle which presumably the States Ministry has in view in regard to its work. That Ministry, or any other Ministry, is not an imperium in imperio, jealous of its sovereignty in certain domains and working in isolation from the rest. If that was so then the Government would not be a close-knit organism working together with a common purpose, and the P.M. would have no function to perform. But I do not wish to consider the wider question of principle at this stage though it may have to be discussed later.

The present issue relates to Kashmir. This raises all manner of connected issues — international, military and others — which are beyond the competence of the States Ministry as such. That is why it has to be considered by the Cabinet as a whole frequently and by various Ministers separately or together. And that is why I have to take personal interest in this matter as P.M. to bring about co-ordination in our various activities.

Gopalaswami Ayyangar has been especially asked to help in Kashmir matters and at our request has visited the State twice. He has to deal with East Punjab also and the MEO organisation there. Both for this reason and because of his intimate knowledge and experience of Kashmir he has to be given full latitude. Accordingly, after repeated talks with representatives of the Defence Ministry, all manner of arrangements have been made about supply of arms and equipment etc. In this connection the urgent need of motor vehicles has been repeatedly raised. Ultimately it

was decided to ask the East Punjab Government to relieve a number of these for Kashmir and steps were taken accordingly.

I really do not understand where the States Ministry comes into the picture, except that it should be kept informed of steps taken. In any event I do not understand why the States Ministry should intervene and come in the way of arrangements being made. All this was done at my instance and I do not propose to abdicate my functions in regard to matters for which I consider myself responsible.

May I say that the manner of approach to Gopalaswami was hardly in keeping with the courtesy due to a colleague?

Yours,
Jawaharlal

Sardar Vallabhbhai Patel

99

DRAFT[1]

23 December 1947

My dear Jawaharlal,

Your letter of today has been received just now at 7 p.m. and I am writing immediately to tell you this. It has caused me considerable pain.

Before I received your letter I had already written to Gopalaswami a letter of which a copy is enclosed herewith. If I had known [that] he had sent you copies of our correspondence I would have sent to you a copy of my letter to him straightaway.

In any case, your letter makes it clear to me that I must not or at least cannot continue as a Member of Government and hence I am hereby tendering my resignation. I am grateful to you for the courtesy and kindness shown to me during the period of office which was a period of considerable strain.

Yours sincerely,
Vallabhbhai Patel

Pandit Jawaharlal Nehru

[1] The letter is marked 'draft'. It was not sent presumably because Sardar was persuaded to drop the controversy.

100

New Delhi
24 December 1947

My dear Gopalaswami,

This is in continuation of my letter of yesterday's date. I was surprised to hear from the Prime Minister that you had forwarded to him a copy of the correspondence. I feel rather hurt that you should have done so without even informing me. I thought relations between us permitted of ourselves settling this matter without the intervention of the Prime Minister.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Mr. N. Gopalaswami Ayyangar
New Delhi

101

Minister without Portfolio
New Delhi
24 December 1947

My dear Sardarji,

I am most thankful to you for your letter dated yesterday in reply to mine of the previous day. It has taken a great burden off my mind and I feel immensely relieved.

The Kashmir Administration wanted a number of motor vehicles for use in their present emergency in transporting supplies into the State and evacuating refugees from the State. There were a number of such vehicles lying idle with our MEO at Lahore and due to be returned to the East Punjab Government. The Kashmir Government were prepared to bear all expenses. The Premier, East Punjab, and Sardar Swaran Singh, whom I spoke to, were agreeable to about 150 of those vehicles being made available to the Kashmir Government for a few days. I used my good offices in arranging this transaction and in the formal telegram to the Premier, East Punjab, it was definitely indicated that the Kashmir Government would bear all expenses and that financial details might be settled between that Government and

the East Punjab Government. These facts hardly require the consent of the Financial Adviser of any Ministry at the Centre to the transaction between two other Governments who independently were competent to make the arrangement themselves. I have enough of administrative experience to realise that, if any such Financial Adviser had to be consulted, no directions of the kind could be issued without reference to him. It is, however, not necessary for me to argue this trivial point out with you.

The terms of your letter, so characteristic of you, have made me come to feel much nearer to you than I was before. I shall from now forget that any such incident happened between us and put it entirely out of my mind.

I have since received your second letter of date. My letter to the Prime Minister did not seek his intervention between us; in the long [course] of administrative life in various capacities that I have gone through, I have never believed in the intervention of higher authorities in my favour in my differences—they were many—that I have had with colleagues in office. I thought that, as Head of the Government, the Prime Minister ought to be informed of what had passed between us; and that is the only reason for my sending him a copy of your letter to me dated 22nd and my letter to you of the same date. Perhaps, I could have refrained from sending him even these copies for information. I am sorry to have caused you hurt.

With kindest regards,

Yours sincerely,
N. Gopalaswami

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

COPY

New Delhi
21 December 1947

My dear Maharaja Sahib,

Shri Gopalaswami Ayyangar has shown me the correspondence he has had with you during the last few days. I am very sorry to find that it has not been possible so far for the parties concerned to agree in regard to the next steps to be taken. Meanwhile the situation changes from day to day and what is said today becomes rather out of date tomorrow.

We have to face an exceedingly dynamic and changing situation both in the military and the political sense. Decisions are governed far more by what

WITH GENERAL RAJENDRA SINGH AND MEHRCHAND MAHAJAN,
PRIME MINISTER OF J & K

ACCOMPANIED BY DEFENCE MINISTER BALDEV SINGH, THE SARDAR CHATS WITH ARMY OFFICERS AND JAWANS. TO HIS RIGHT STAND GENERAL KULWANT SINGH AND AIR MARSHAL MUKHERJEE.

is happening than by what we may desire to happen. In recent weeks there has been some deterioration in the military situation. There is no danger of any major event happening to our disadvantage. But it is true that all manner of small events happen which increase the morale of the invaders and correspondingly affect the morale of our people. The problem is a military one and political one. On the political side it is both internal to Kashmir and external, that is, as between the Dominion of India and Pakistan. We have been giving a great deal of thought to it, more especially in so far as inter-Dominion relationships are concerned.

It is patent that the present position in which the Pakistan Government and army, though remaining officially in the background, play a dominant role in the invasion of Kashmir, is most disadvantageous to us. We are justified in considering the acts and omissions of the Pakistan Government as hostile acts and omissions which we are entitled to counter by military or other means. We have thus far avoided doing so for various political reasons, among them being that both India and Pakistan are members of the United Nations Organisation. It is prima facie improper for two members to come into direct conflict with each other without reference to the UNO. The fact that Pakistan has acted as an aggressor country is well known to us, but the manner of its doing so has been such as not to be known by the outside world.

The Government of India are now thinking of taking early steps to inform the Security Council of the UNO that the Pakistan Government have been directly or indirectly encouraging and aiding aggression on Indian Dominion territory, that is, Kashmir State. Pakistan territory is used for transport, as a base of operations against Kashmir and in many other ways, for this purpose. We propose to ask the Security Council of the UNO to call upon Pakistan to desist from doing so. Further, we propose to say that in view of what Pakistan has been doing we consider ourselves entitled to take such other and further action to stop this invasion which is bringing ruin and desolation to Kashmir State. This action may involve our entering Pakistan territory.

Our present intention is to make this limited reference to the UNO without committing ourselves in any way. Meanwhile, of course, we shall continue to fight the invader and to drive him back. The reference will not stop us from our present activities in any way. But once reference is made it is possible that other developments might take place for which we have to be prepared.

Although our Government is clear on the line of action to be taken now, we shall finalise our decisions in two or three days' time after our talks with the Pakistan Ministers who are due to reach here tonight in connection with the Joint Defence Council. We have to proceed correctly from a national and international point of view so that any action that we might take in future might not only be effective but above-board and in conformity with international procedure.

Sheikh Abdullah and Bakshi Ghulam Mohammad arrived here last night and I have informed them of the proposed action of ours. I am writing this letter to you to keep you fully informed of this matter also. As soon as any final decision is taken, I shall, of course, communicate it to you.

Yours sincerely,
Jawaharlal Nehru

His Highness
The Maharaja Sahib of Jammu & Kashmir
Jammu-Tawi

Copy to:

1. The Hon'ble Sardar Vallabhbhai Patel
2. The Hon'ble Shri N. Gopalaswami Ayyangar

COPY

New Delhi
23 December 1947

My dear Maharaja Sahib,

I sent you a letter three or four days ago on the subject of our talks with the Pakistan Ministers regarding Kashmir.

Our Cabinet came to the conclusion that the best course for us to adopt in the circumstances was to draw the attention of the United Nations Organisation to the aggression on Indian Dominion territory by people coming from or through Pakistan with the aid and encouragement of the Pakistan Government. The UNO would be asked by us to call upon the Pakistan Government to stop this aggression as in the alternative we will have to take such steps as we might think fit and proper to do so. Prior to our approaching the UNO it was considered desirable to send a formal request to the Pakistan Government asking them to stop giving any aid or encouragement to the invaders.

This was the line we took up in our conversation with the Prime Minister of Pakistan and I gave him a letter to this effect. A copy of this letter is enclosed.

We shall now wait for a few days, which are not likely to exceed four or five, for Pakistan's reply. We shall then refer the matter to the Security Council of UNO. All this procedure need not take very long. The Security Council will probably have an early hearing of our representative and may then call upon Pakistan to reply to the charges made against them. They may thereupon send a commission to India.

Meanwhile, of course, we shall carry on our military operations as we are doing. Indeed, we hope to carry them on more vigorously. Future action will depend on other developments.

This matter has to be kept perfectly secret at this stage.

Yours sincerely,
Jawaharlal Nehru[1]

High Highness
The Maharaja Sahib of Jammu & Kashmir
Jammu-Tawi

Copy to:
1. The Hon'ble Sardar Vallabhbhai Patel
2. The Hon'ble Shri N. Gopalaswami Ayyangar

102

New Delhi
23 December 1947

My dear Maharaja Hari Singh,

Many thanks for your two letters regarding the Yuvraj's visit to America. Everything has now been fixed up for his departure on 29 December. The Dakota plane to take him to Bombay [has] also been arranged. I hope he will have a comfortable journey.

I have also received your letter enclosing a copy of your letter to Gopalaswami. Your stand is quite consistent with your previous commitments. I have had talks with Gopalaswami about it also. Sheikh Abdullah and Bakshi [Ghulam Mohammad] are both here for the last two days. I intend to run down to Jammu for a few hours on the 25th.

With kindest regards to Her Highness, yourself and the Yuvraj,

Yours sincerely,
Vallabhbhai Patel

His Highness Maharaja Sir Hari Singh
Maharaja of Jammu & Kashmir
Jammu

[1] One of the two letters dated 21 and 23 December 1947 is the enclosure referred to in the letter of 30 December 1947 on page 135.

CHAPTER IX

CONSTITUTIONAL IMPASSE

103

Jammu
24 December 1947

My dear Sardar Patelji,

I sent you a copy of Sheikh Abdullah's letter to H. H. before his release on the 20th. I wonder why it has not reached you. I send herewith another copy of the same letter.

This humble subject who promised steadfast loyalty now wants to prosecute H. H. before the people's tribunal and demands his abdication. His latest offer is that H.H. can have the districts of Jammu, Kathua, Udhampur and leave the rest of the territory to a Muslim republic like Pakistan. He is actively canvassing support of Muslim Conference leader Abbas who is in jail and with whom he is having interviews.

Practically in all matters he is ignoring and bypassing H.H. and is daily showing increased communal tendencies.

If you permit I will send you specimens of his administrative skill and knowledge and communal tendencies and where he has ignored H.H. with the help of National Guards in Srinagar. He thinks he can do what he likes. On hearing from you I will send you some instances of complete misrule and maladministration on fascist lines.

I am in a most embarrassing position. I wish you could somehow get me out. I have tried but without success. H.H. will not let me out.

With best regards,

Yours sincerely,
Mehrchand Mahajan

ENCLOSURE I

SOME INSTANCES OF ABDULLAH ADMINISTRATION

1. President of the Praja Sabha has been removed without reference to H. H. though under law only H.H. can remove him.

2. High Court is not functioning. H.H. or Chief Justice are the only authorities above High Court, but under his orders the High Court is not allowed to come to Jammu as it ought to under H.H.'s order. One Judge is a Muslim and as he does not wish to come here we have no High Court for over 2 months. His attention was drawn by H.H. to this but he ignored the order. C. J. is in Calcutta, one jury here and one in Srinagar.

3. Governor Jammu was transferred to Srinagar and suspended and kept under restraint there without any specific charge or any enquiry and without previous reference to H.H. Once H.H. was consulted and certain decision was made but this was ignored.

4. [J.N.] Zutshi,[1] dismissed for corruption after enquiry, has been allotted to a responsible post.

5. An accounts officer has been appointed Chief Secretary though the office of Chief Secretary is reserved for the executive and judicial branch of service. Considerable number of officers will be superseded.

6. Court Chief Inspector has been appointed Tahsildar without any executive training. Sub-Inspector Police made A.S.P. without being even an inspector, on communal consideration. Income-tax officer appointed Wazir. Parties of one profession appointed in different branches of services on communal grounds.

7. Large number of officers and men are in custody without charges and trial.

8. Corruption in National Conference workers is rampant in selling transport and giving trade concessions.

9. Gazetted and non-gazetted officers are made to obey orders of volunteers on threats of dismissal or arrest.

10. Emergency officers are appointed who are not public servants with no powers and duties. They are said to be advising men but wield real power. The whole administration is thus in chaos.

11. Shomiri, Adalatkhan, Dar were retired by H.H. before I came on grounds of disloyalty. Against express direction of H.H., they have been reinstated.

1 Confidant of Sheikh Abdullah; he and Baldev Prasad Sharma, Director of Information, J & K, were arrested with Abdullah in 1953 and released later.

ENCLOSURE II

26 September 1947

May it please Your Highness,

It is after about one and a half years' incarceration as long wished—I had an opportunity of having detailed talks with Thakur Nichantchandji [brother of the Maharani]. What unfortunate things happened during this period in the State I need not mention. But this is now realised by every wellwisher of the State that many of the regrettable happenings of the past have mainly been due to the misunderstandings which appear now to have deliberately been created by interested people in order to achieve their own ends. R. B. Ramchandra Kak, the ex-Prime Minister, through his mischievous methods and masterly manoeuvrings, brought these misunderstandings to a climax and succeeded in his attempt, though temporarily, to a certain extent. He painted me and my organisation in the darkest colours and in everything that we did or attempted to do to bring Your Highness and your people closer, base and selfish motives were attributed to me. But God be thanked that all these enemies of Your Highness and State stand exposed today.

In spite of what has happened in the past, I assure Your Highness that myself and my party have never harboured any sentiment of disloyalty towards Your Highness' person, throne or dynasty. The development of this beautiful country and the betterment of its people is our common aim and interest and I assure Your Highness the fullest and loyal support of myself and my organization. Not only this but I assure Your Highness that any party, within or without the State which may attempt to create any impediments in our efforts to gain our goal will be treated as our enemy and will be treated as such.

In order to achieve the common aim set forth above, mutual trust and confidence must be the mainstay. Without this it would not be possible to face successfully the great difficulties that beset our State on all sides at present.

Before I close this letter I beg to assure Your Highness once again of my steadfast loyalty and pray that God may grant me opportunity enough to let this country attain under Your Highness' aegis such an era of peace, prosperity and good government that it may be second to none and be an ideal for others to copy.

Your Highness' most obedient subject,
S. M. Abdullah

104

New Delhi
29 December 1947

My dear Sardarji,

I send herewith a copy of the letter dated 28 December received by me today from the Maharaja of Kashmir, together with a copy of the telegram which I have just sent him.

2. I have the greatest personal regard for Mr. Mahajan, but I am convinced that the interests of Kashmir in the present situation make it impossible for him to continue there in the capacity of Dewan with the right of presiding over a Cabinet of Ministers appointed on the advice of Sheikh Abdullah as Prime Minister and entrusted with the conduct of the entire civil administration of the State. I have failed to persuade Sheikh Abdullah to [accept] the Maharaja's views on this matter. The situation in the State, both in the immediate present and in the near future, demands that we should strengthen Sheikh Abdullah's hands.

3. I hope that, after he receives my telegram, the Maharaja will agree to act on the advice that I gave him in my letter dated 24 December.

With kind regards,

Yours sincerely,
Gopalaswami

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

ENCLOSURE I

The Palace
Jammu-Tawi
28 December 1947

My dear Gopalaswami,

I am thankful to you for your letter of 24 December [See 109.] and for the interest you have taken in our affairs.

I have carefully considered the suggestions made by you, especially in view of the weight of opinion behind them. I assure you that I desire to be most helpful. After weighing all the considerations I have come to the view stated below:–

1. As regards the reserved subjects contained in Schedule II of the Mysore model there is practically an agreement between us. They are almost those as are contained in Sections 24, 48, and 15 of our Constitution Act. I am thankful to you for suggesting an addition of Section 71 about the Board of Judicial Advisers. Sections 5 and 6 of our Act are in accord with Section 8 of the Mysore model. I am glad you agree that the protection of minorities should be mentioned in the proclamation as a reserved subject in Schedule II. About elections, some part of this must be in the reserved subjects, e.g. nomination of election tribunals. A Council of Ministers usually tries to interfere with elections in their own favour. The Ruler should have the power to see that free elections are conducted.

Kindly ask Mr. [V.P.] Menon to draw out a schedule on these lines and incorporate the schedule of reserved subjects in the proclamation.

2. Your suggestion regarding the Army meets with my approval. But the proclamation must only say that all sections of the people will have opportunities of service, whether civil or military, and these will be open to all creeds and communities on their merits.

3. I am quite willing to accept your suggestion of nine Ministers though I feel the number is really too large. As regards representation of the minorities, this cannot be left entirely in the hands of the new Prime Minister, who must give me a panel of names so that the true representatives of the minorities come in and not only figureheads are taken. Low salaries for Ministers are most dangerous which may lead to corruption.

4. I am agreeable to your suggestion that the Interim Ministry should put up proposals for the election of the Constituent Assembly and its composition but I would like to add that besides the elected elements I must have the

right to nominate a few persons to the Constituent Assembly out of the minority communities and other persons having substantial interest in the State if the result of election does not show their adequate representation.

5. I am glad you agree that I should have a Dewan who enjoys my confidence and that Sheikh Abdullah wishes to exercise no veto on my choice and that the Dewan can advise on administration of the reserved subjects and can be in the Cabinet.

6. There are two matters however which I find extremely difficult to accept. I must insist that the Dewan should be the President of the Cabinet. This is so in Mysore, where the leader of the Congress Party is the Chief Minister. In most of the earlier letters and verbal conversation Pandit Nehru and Sardar Patel accepted the view that Mr. Mahajan as Dewan can formally preside over Cabinet meetings. Mr. Menon also gave me the same impression. I went back on my commitment when I agreed to give Sheikh Abdullah the designation of Prime Minister and I cannot appease him further on the point that he should preside and not the Dewan, who is a man of my confidence.

7. As regards the [position] of Mr. Mahajan, again I cannot accept the suggestion in spite of the fact that he feels embarrassed and has no personal desire whatever to continue under the present condition, but I must have regard for my word and commitment. I have complete confidence in Mr. Mahajan and value his integrity. I am not going to appease anyone by being false to myself and my word. Let me add that this is now absolutely a point of honour with me.

8. Kindly get the proclamation drawn up on the lines agreed to and suggested by me. It is now for you to get Sheikh Abdullah to agree to my considered and final views. I cannot stand more distress than I actually have, with half my people and half my country ruined. Sheikh Abdullah should be told that he cannot drive too hard a bargain. This is not in the interest of either himself or the State. I have gone to a limit beyond which I cannot go.

With kind regards and best wishes,

Yours sincerely,
Hari Singh

ENCLOSURE II

TELEGRAM

29 December 1947

Maharajadhiraj
Jammu

THANKS VERY MUCH FOR YOUR LETTER OF YESTERDAY'S DATE DELIVERED TO ME THIS MORNING. HAVE MADE AN ATTEMPT AS SUGGESTED IN PARAGRAPH EIGHT OF YOUR LETTER AND THE ATTEMPT HAS FAILED. IT IS IMPOSSIBLE TO GET THE AGREEMENT OF THE PARTY CONCERNED TO ACCEPT YOUR VIEWS ON THE TWO MATTERS MENTIONED IN PARAGRAPHS SIX AND SEVEN OF YOUR LETTER. THE RECOMMENDATIONS I MADE TO YOU ON THOSE TWO MATTERS ARE OUR UNITED CONSIDERED ADVICE AND YOU WILL I HOPE BELIEVE ME WHEN I SAY THAT THEY WERE DELIBERATELY MADE TO YOU IN THE BEST INTERESTS OF YOURSELF, STATE AND PEOPLE. I AM FIRMLY CONVINCED THAT HESITATION OR DELAY IN ACTING ON THE ADVICE I HAVE TENDERED TO YOU IN RESPECT OF THESE TWO MATTERS MIGHT PRODUCE UNWELCOME DEVELOPMENTS AND IS BOUND TO WEAKEN OUR HANDS IN THE GREAT EFFORT WHICH THE DOMINION, YOURSELF AND YOUR PEOPLE ARE JOINTLY AND UNITEDLY ENGAGED IN NOW. I WOULD AS A SINCERE FRIEND OF THE STATE MAKE A FINAL APPEAL TO YOU TO ACCEPT WHAT I HAVE ADVISED YOU ALREADY. I AM COMMUNICATING COPIES OF YOUR LETTER TO BOTH THE PRIME MINISTER AND THE DEPUTY PRIME MINISTER TOGETHER WITH A COPY OF THIS TELEGRAM.

GOPALASWAMI AYYANGAR

105

New Delhi
30 December 1947

My dear Vallabhbhai,

Gopalaswami Ayyangar showed me the Maharaja of Kashmir's reply to him. I was surprised to read this as the Maharaja had practically told us that he would agree to Mahajan going away. Mahajan himself had told us that he would no longer stay there. Apart from this I have received very disturbing news from Bakshi through the telephone about the way the arms that we have sent for him have been kept back and distributed to RSS[1]

[1] Rashtriya Swayamsevak Sangh—volunteer organisation founded in Maharashtra in 1925 with object of protecting religion and culture of Hindus. In course of time it spread to other parts of country.

people. While Jammu was in imminent danger a large part of the consignment of arms was just held back and Bakshi's Home Guards were fighting often without rifles and always with too little ammunition and dying in the process.

It seems from a number of reports that have reached me that the RSS is being supported and armed at the cost of Bakshi's Home Guards and that propaganda is being openly carried on by posters and otherwise against Sheikh Abdullah. In some distant parts of the State where there are no invaders the RSS is creating trouble by sending their emissaries. I am inclined to think that Mahajan sympathises with these activities and perhaps helps them.

The situation is a serious one and obviously cannot continue as it is. It will lead to internal conflict which will be disastrous from every point of view. The Maharaja, unfortunately, is terribly shortsighted and has a way of doing the wrong thing. He has suffered sufficiently in the past by his own errors and yet he has not benefited by that lesson. I fear he will get into great trouble if he does not appreciate the present situation and act accordingly. I am sending a letter to the Maharaja, a copy of which I enclose.

Yours sincerely,
Jawaharlal

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

106

New Delhi
30 December 1947

My dear Jawaharlal,

I have just received your letter of today and I hasten to send you a reply as I am going away tomorrow early morning to Assam. When I saw the Maharaja yesterday, the Maharaja showed me the letter he had received from Gopalaswami and a copy of his reply. I told the Maharaja that he had given an impression to Gopalaswami that he was willing to release Mahajan, but he said that he had not done so and if Gopalaswami carried any such impression it was wrong. The Maharaja's position is that it was not a question of personality but of principle. I argued with him that it would be in the interest of all to replace Mahajan by some other acceptable man, who can be found, but he seemed

to be very unwilling. Mahajan himself is in an embarrassing position, but if the Maharaja could be persuaded he would certainly be willing to leave. Last night when I met Gopalaswami at your place, I communicated all that had passed between me and the Maharaja to him and I thought that he must have talked to you about it.

2. In brief, the Maharaja's position is that he is prepared to fulfil entirely his part of the agreement that he has made with us, and expects us on our part to stand by it. We know his nature and we must handle him tactfully.

3. Bakshi [Ghulam Mohammad] was practically the whole day with me yesterday. He took me to a public meeting and also to receive two or three deputations of Hindus and Muslims, but he never mentioned to me that he had any difficulty about his getting arms from the State authorities or that they were held back by them. In fact, I did not know that the consignment of arms was in charge of the State authorities.

4. Neither Bakshi nor anybody in Jammu informed me about the RSS activities there. Whatever may have been done by the RSS in the beginning, there seemed to be no evidence of their activities now.

5. The situation is undoubtedly serious. Both Menon and myself tried to argue with him [the Maharaja], as far as possible, but he had a catalogue of grievances against Sheikh Abdullah for several orders that he had passed ignoring him altogether, including the High Court being completely sidetracked. It is a very difficult situation, but you can send Gopalaswami again and let him have one more go at it.

Vallabhbhai Patel

The Hon'ble Pandit Jawaharlal Nehru
New Delhi

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New Delhi
30 December 1947

My dear Mahajan,

Since your telephone talk this evening, I had two letters, one from Gopalaswami and the other from Panditji. Both are very distressing. They had a complaint from Bakshi that his Home Guards are not getting the firearms. I do not know how

far this complaint is true. It would not be wise to give them any cause for complaint in such matters. It seems he has also complained that RSS people are being armed. You did not mention anything about it when I met you at Jammu. But you must make sure that no such thing happens.

Both the Maharaja and you must once more think over the question of the Interim Government. [V. P.] Menon will explain to you more fully what I have got in my mind. There is no doubt that a solution must be found. I am going to Assam tomorrow and will be returning on 6 January. Menon will come with this letter as soon as he is able to do so.

Yours sincerely,
Vallabhbhai Patel

Mehrchand Mahajan Esq.
Jammu

108

New Delhi
30 December 1947

My dear Gopalaswami,

I got your letter just now and I had got one from Panditji also, on the same subject. Panditji is very much distressed about this affair. I do not know how to solve this riddle. The utmost that can perhaps be done is to get Mahajan out of the way if we can find an acceptable man in his place; but even after that, the problem will not be solved because the Maharaja will insist on the Mysore agreement being fulfilled in all other respects. Sheikh Abdullah is not perpared for it.

I am going away tomorrow to Assam. I have asked Menon to come and see you. I propose to send him to Jammu to speak to the Maharaja once again, but I am not sure whether he will be successful. But the Maharaja has a feeling that he is not being fairly treated.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Mr. Gopalaswami Ayyangar
New Delhi

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The Palace
Jammu
30 December 1947

My dear Sardar Patel,

I am sending herewith a copy of Shri Gopalaswami's letter sent to me for your information. Copy of my reply to this letter has already been sent to you.

I am most thankful to you for your visit to Jammu and for the interest you have taken in our affairs. I shall be grateful if the matter of the Interim Government is settled as soon as possible.

I understand that Lt. Col. Kashmir Singh Katoch,[1] whose services have been taken on loan by us from the Indian Army and is working as Military Adviser, is being recalled, possibly at the instance of Sheikh Abdullah or Lt. Col. Attal. I am afraid I cannot release him as I require his services for reorganisation of the State Army. I shall be obliged if you will very kindly ask the Military Headquarters to withdraw this.

With kindest regards and best wishes,

Yours sincerely,
Hari Singh

ENCLOSURE

New Delhi
24 December 1947

My dear Maharaja Sahib,

I am most grateful to Your Highness for your letter of 17 December. We have given anxious consideration to all the points mentioned in that letter and during the last two days we have had the advantage of further discussion on several of those points with Sheikh Abdullah.

2. I have set out below our considered conclusions. In our opinion they are in the best interest of Jammu and Kashmir State, its Ruler and its

[1] Special Adviser to J & K State forces; son of General Janak Singh who was Prime Minister of J & K for a short period.

people. I earnestly hope that you will find yourself able to accept and give effect to all of them.

3. The Government of India do not desire that you should deviate from the Mysore model except in respect of matters which are considered minor and which are necessitated by the different conditions, which ordinarily, and particularly now, prevail in Kashmir. For the Interim Government which you are anxious to set up immediately, the model should undoubtedly be the Mysore one but, in adapting that model to the present situation in your State, its peculiar conditions and the provisions of its existing constitution deserve to be taken into account. These have been kept fully in view by us.

4. You have laid stress on the reservation of subjects listed in Schedule II of the Mysore Proclamation dated 24 September 1947 as being its most important essential. Most of the items in this schedule are reserved matters under the J & K Constitution Act. Items 1, 2 and 4 are reserved from the cognisance of the Praja Sabha under Section 24 of the J & K Constitution Act, 1896, though the description is not identical. They can be included in the list of subjects in the administration of which you are not bound to obtain the advice of your Ministers. The powers of the Ruler under item 3 in regard to the High Court are to be found in Sections 48 and 49 of that Act. In addition, similar powers are reserved to the Ruler in Section 71 as regards the Board of Judicial Advisers. The Ruler's powers to summon and dissolve the Legislature (item 6 of the Mysore model) are provided for in Section 15 of the Act. The residuary and emergency powers (item 8 of the Mysore Schedule) are reserved to the Ruler under Sections 4 and 5 of the J & K Act The only matters in the Mysore Schedule which do not find specific mention in the J & K Act are:

(a) Protection of legitimate interests of minorities; and

(b) Superintendence, direction and control of elections.

* * * *

(a) May be reserved in the proclamation to issue. It seems unnecessary to reserve also.

(b) The matter referred to therein is one which could well be left to the Council of Ministers.

5. The Interim Ministry will, as suggested in your letter, function as a Cabinet with a Prime Minister as may be fixed by you in accordance with the provisions of Section 6 of the Constitution Act.

6. There may be a Dewan in addition to the Council of Ministers. It is desirable that he should have the right to attend meetings of the Cabinet, so that he might be closely associated with the work of the Cabinet, and might function as an effective liaison officer between the Cabinet and the Ruler, interpreting the one to the other and aiding and advising the Ruler in the transaction of business connected with reserved subjects. Not only does

Section 6 of the Constitution Act require that the Prime Minister should preside over the Council of Ministers, but it is on the merits essential that he should do so. To direct that a person other than the Prime Minister should preside over the Cabinet would not make for that perfect understanding and intimate association between the Ruler and his Prime Minister, which are so essential for efficiency of administration.

7. I agree entirely that the person to be selected for the post of Dewan should be a man who enjoys your full confidence. It is, however, at the same time desirable that that man should not be one to whom the leader of the Government has any violent objection. The two have to get on with cordiality and good understanding if Your Highness' government of the State is to achieve the maximum beneficial results for the people that it ought to achieve. There can be no question of anybody attempting to sabotage your selection of the proper man for the Dewan's post. I am in a position to assure you that Sheikh Abdullah himself is only too anxious to have, as liaison between him and you, a Dewan who enjoys your fullest confidence, so that his relation with you might be of the smoothest possible description. Should Your Highness so desire, I shall be glad to be of assistance in selecting a Dewan who will be the best possible choice from all points of view.

8. We—and in 'we' I include myself, Pandit Jawaharlal Nehru and Sardar Vallabhbhai Patel—are convinced that it is not possible for Sheikh Abdullah and Mr. Mehrchand Mahajan to work together in the same Government hereafter and that it is best in the circumstances that Mr. Mahajan should be allowed to terminate his present connection with the State. I have already informed you that I have good reason to think that Mr. Mahajan would probably himself be glad to be relieved from the embarrassment of Your Highness asking him to stay on in the State.

9. In ordinary circumstances I should certainly have agreed in your view that six Ministers should be adequate for a State like Kashmir. The State is, however, in great turmoil. The invader has to be expelled, rebellion has to be quelled, law and order have to be established and normal economic life revived. For a considerable time to come, the burden of government in Kashmir will be much heavier than in ordinary times. I have discussed this question with Sheikh Abdullah. He considers that there is more than enough work for each of 12 or 14 Ministers and he urges that this number need not scare anybody, as the salaries that will be taken by them will be very much smaller than the salaries you have been paying your Ministers hitherto. The pitch of the salaries is not wholly relevant in this connection. It is desirable to avoid a crowd of Ministers. Responsibility will get too scattered and unity of policy and close collaboration in administration might not be fully achieved if the number of Ministers is too large. Taking all circumstances into consideration, I should recommend for the Interim Government, which will function

only till the new Constitution is fashioned and comes into force, a strength of 9 Ministers. This would incidentally provide room for adequate representation in the Ministry of minorities and the different areas of the State. On this latter matter, namely, representation of minorities and provinces, Sheikh Abdullah is as keen as you yourself are. His immediate object is so to constitute his Government that he will be able to rally to his support the maximum proportion of the population, especially in view of the threatened plebiscite.

10. On the question of the Army I thought I had made it clear to Your Highness that there was no need to fix proportions for the recruitment of the different communities into the Army. I am glad that you are prepared to take Kashmiris, both Hindu and Muslim, into the Army, provided that suitable material offers for recruitment. For the rest, no more is necessary than to apprise all sections of population in the State of the policy of Your Highness and Your Government to provide opportunities of service, whether civil or military, to members of all creeds and communities in the State on their merits. I agree and I am in a position to assure you that Sheikh Abdullah agrees, that, for some time to come and until things have completely settled down and normal life has been in full swing for a considerable period, we should hardly think of recruiting any large number of Muslims from Jammu province (including the Poonch area) which has contributed the largest number to the rebel ranks in the present disturbances. The population of these areas have first to be won over and their loyalty to the State proved beyond cavil before recruitment to the Army from their ranks can be safely allowed to take place. It is, however, important that, in order to win them over, they should have the expectation from now that, if they become and remain loyal to the State, opportunities for service to the State, whether in a civil or a military capacity, will not be denied to them.

11. The Mysore Proclamation dated 24 September 1947 laid upon the Dewan the duty of framing a Constitution Bill and directed that, in doing so, he should obtain the advice and counsel of a committee elected by the Legislature and of such other experts and expert bodies as might be found suitable and desirable. There was some controversy on this matter in Mysore State and, in the final understanding that was arrived at between the Dewan and the President of the Mysore Congress and embodied in the Mysore Maharaja's Proclamation dated 28th day of October, the direction in this respect was that the Interim Ministry should set up a Constituent Assembly composed of elected representatives of the people and entrust to it the task of framing a Constitution Bill providing for responsible government under the aegis of the Maharaja. I think that, so far as Kashmir is concerned Your Highness gives the direction that the Interim Ministry should submit to you, as soon as possible, proposals for bringing into existence a Constitution-making body composed of elected representatives of the people for the purpose of framing, for

your approval and promulgation, a Constitution for Jammu and Kashmir State. The Constitution of the present Praja Sabha provides for a large fraction of nominated members and will therefore not be acceptable either to the National Conference or even to other political bodies in the State. It would seem, therefore, best to ask the Interim Ministry itself to submit for your consideration proposals as regards the composition of the Constitution-making body and the method of choosing its members.

12. This letter has become longer than I originally intended. I hope, however, I have met all the points raised in your letter.

13. With a view to saving time, the States Ministry is being asked to prepare a draft of the proclamation and to send it on to you as early as possible for your consideration. If you desire, in the meanwhile, to give any instructions in connection with such drafting, will you kindly have them communicated to that Ministry direct by telegram or by letter?

14. The actual personnel of the Ministry has to be proposed by Sheikh Abdullah for your acceptance. If, in connection with this matter or for the purpose of further discussion of what I have said in this letter, my services should be required, they are always at your disposal.

With kindest regards,

Yours sincerely,
N. Gopalaswami

His Highness the Maharaja of Jammu & Kashmir
Jammu

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New Delhi
30 December 1947

My dear Vallabhbhai,

I have just received your letter of today's date about Kashmir. I have also received a note from Gopalaswami Ayyangar enclosing a copy of a telegram from the Maharaja of Kashmir, in which he says that he cannot agree to Gopalaswami's suggestion. There is thus a complete deadlock and I just do not see what we are to do about it.

I quite agree with you that the matter has to be dealt with tactfully with the Maharaja as with others. I have used up all the tact at my disposal in this matter without achieving substantial results. Considering everything, I think that Sheikh Abdullah and Bakshi have taken a very sensible view of the situation and they have tried to appreciate the position of the Maharaja.

But it must be remembered that they cannot function without popular backing, both Muslim and Hindu. They have tried hard to gain this popular backing of the Hindus and succeeded wholly in Kashmir and partly in Jammu. There is evidence of this by the fact that the leaders of the Hindu Yuvak Sabha movement which in the past were opposed to Sheikh Sahib are supporting him completely. That is to say that the local Hindus are with him to a large extent. But the RSS and the [Hindus] from the Punjab are of a different type and between them and Sheikh Abdullah there is a big gulf. I do not see how that gulf can possibly be bridged, especially as the RSS is accused with reason of having organised killing of the Muslims in Jammu. Sheikh Abdullah has to keep the goodwill of the Muslims to some extent at least even in Jammu. He has succeeded in a measure and the latest evidence of this is that the local Muslim Conference is coming into conflict with the Azad Kashmir movement. Today's Civil & Military Gazette contains a full report of this.

All these developments are taking place because of a belief that there has been a change in the administration and Sheikh Abdullah is really in charge. Mahajan's presence is a constant irritant to these various elements as well as to Sheikh Abdullah's party. I have no doubt that even if we patch up something for the moment and Mahajan remained, there will be constant trouble and friction. That will be no solution to any problem. I repeat therefore that I see no way out of this impasse except something drastic happening. I propose to do nothing for the present till you return from Assam. But events are moving fast and I do not know what might happen.

The trouble about the distribution of arms is a fairly old one and has been discussed with the military authorities here several times. Bucher is very annoyed that the arms specially sent for Bakshi were not given to him. He has asked Kulwant Singh for an explanation.

Yours sincerely,
Jawaharlal

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

PS.

I have just had a telephone message from Jammu (Bakshi) to the effect that a big attack has been made by the raiders on Suchetgarh and another some distance away. Reinforcements were sent by our army and fighting is proceeding.

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New Delhi
30 December 1947

My dear Sardarji,

Herewith copy of the telegram I have just received from the Maharaja of Kashmir in reply to mine of yesterday.

2. I cannot proceed further with this foolish man, not having any powers for putting pressure on him. I thought I could persuade him, but I have not succeeded.

3. It is for you to take the matter up now and solve the inconvenient and gratuitous riddle that the Maharaja has created for himself and that he expects us to solve for his benefit.

Yours sincerely,
Gopalaswami

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

ENCLOSURE

30 December 1947

N. Gopalaswami Ayyangar

YOUR MESSAGE OF 29TH RECEIVED THIS AFTERNOON. SINCE MY LAST LETTER, MATTER DISCUSSED WITH DEPUTY PRIME MINISTER WHO IS IN FULL POSSESSION OF MY VIEWS. SORRY CANNOT AGREE.

MAHARAJADHIRAJ

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New Delhi
30 December 1947

My dear Baldev Singh,

I understand that there is a move to recall Col. Kashmir Singh Katoch from Kashmir. You know the circumstance in which his deputation was arranged. It was at my personal

request that you kindly agreed to let him go. I feel that, unless there are substantial reasons, his previous deputation should stand. In any case, I should be grateful if you would consult me before agreeing to his reversion.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Sardar Baldev Singh
New Delhi

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Jammu
30 December 1947

My dear Sardar Patelji,

As desired by you, I send herewith a copy of my note regarding Mangla Headworks, which I sent to Panditji, for your information.

With kindest regards and best wishes,

Yours sincerely,
Mehrchand Mahajan

The Hon'ble Vallabhbai Patel
New Delhi

ENCLOSURE

The note says that "the land under the town of Mangla is in State territory and has never been leased or given to Pakistan." In 1904 the Jammu and Kashmir Government permitted the Punjab Government to construct a cannal within State territory on condition "that it shall always remain the property of the Durbar and that the Punjab Government will pay annually to the Durbar a sum equivalent to the total amount of revenue at present levied in respect of the cultivated portion of the land."

EXTRACT FROM A LETTER FROM R. C. KAK TO MAHATMA GANDHI DATED 31 DECEMBER 1947

" . . . Deputy Prime Minister had been sent to Delhi to get the help of the Indian Dominion to stop this act of aggression from the Pakistan side on the Dominion of His Highness. No help, however, came immediately. Mr. Menon, the Secretary, States Ministry, flew to Srinagar on that date for talks with His Highness. The next day I accompanied Mr. Menon to Delhi and personally requested the Prime Minister and the Deputy Prime Minister of India for military aid on behalf of His Highness. The Indian Dominion provisionally accepted the accession of Kashmir and also advised His Highness to form an Interim Government in the State under the leadership of Sheikh Abdullah. His Highness agreed to this and on the 27th the Indian Dominion took over charge of the defence of the State. The State forces were put under the control of the Commander of the forces of the Indian Dominion.

On 30 October, Sheikh Abdullah was made the Head of the Administration on the advice of the Prime Minister and the Deputy Prime Minister of India and His Highness vested him virtually with the powers of a dictator and stepped aside."

CHAPTER X

SECURITY COUNCIL DISCUSSION

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The Palace
Jammu-Tawi
1 January 1948

My dear Sardar Patel,

I enclose herewith a copy of Panditji's telegram dated 31 December received this morning. I have given no reply to the first part of the telegram.

According to rumours I hear the supply of modern arms to the Home Guards is dangerous. I also hear the raiders snatch them away and they are wholly unfit to handle arms. But obviously a great effort to create a rival army in the State is being made. I am not of course in confidence about these matters. I am not even told what arms are ordered and by whom and for what purpose, who is to receive them and distribute them and what the policy in such matters is.

About mosques etc. I have no knowledge. Sheikh Abdullah and Bakshi are virtual dictators and they have complete power. I wonder what we are expected to do and what the suggestion is. Even when Mr. Mahajan and I have stepped aside are we to be blamed or coerced? This seems to me to be only deep propaganda in disguise to drive me to desperation by being bullied right and left. Already there is no rule of law here and if the present policy continues it will be worse.

Sheikh Abdullah or Bakshi has to explain these matters and not myself. You as head of the States Department know my views and I need not waste your time dilating further on these matters.

With kindest regards,

Yours sincerely,
Hari Singh

Sardar Vallabhbhai Patel
New Delhi

New Delhi
7 January 1948

My dear Vallabhbhai,

During your absence the Kashmir situation, more specially in regard to the reference to the UNO, had developed and we have had to take a number of decisions. We have missed you here because your advice would have been valuable but we could not afford to postpone our decisions owing to the urgency of the matter. A part of our delegation to the UNO, including Gopalaswami Ayyangar, is leaving Delhi this afternoon at 1-30 p.m. for Bombay. From Bombay they will go tomorrow morning by TWA straight to New York. We have had considerable difficulty in getting accommodation in the TWA plane for New York. We have avoided sending any of our men by BOAC via Karachi. Our delegation will have to be split up because of this lack of accommodation. Probably three will go tomorrow from Bombay, the others will go later.

We do not yet know what the Security Council might do and how long these preliminary hearings will last. Today's news announces that the first hearing might be on the 11th or 12th or latest 13th. Our first batch will reach there on the 10th.

You will remember that it was our first intention to send [M.C.] Setalvad [Attorney-General, India] plus one or two assistants. Then we thought that Gopalaswami Ayyangar should also go and if possible Sheikh Abdullah. Gopalaswami is going today; Sheikh Abdullah is expected to arrive here today. He cannot proceed immediately and therefore he can only go [with] the second batch which probably will leave on the 10th from Bombay.

Our delegation has progressively grown. Apart from Gopalaswami, Setalvad and Abdullah, there will be Colonel [B.M.] Kaul and [P.N.] Haksar of the External Affairs Ministry. Kaul and Haksar have been thoroughly prepared and have collected all the necessary maps, papers and reports. Kaul has specialised on the military side; Haksar has been dealing with these matters in our Ministry for the last 2-3 months and knows all about them. He is a very capable young man and a competent lawyer who had a rising practice in Allahabad.

In addition to these, Gopalaswami was very anxious that we should send with him [M.K.] Vellodi[1] and his own Private Secretary and [G.] Parthasarthi;[2] the latter he required more or less to look after him. I was rather reluctant to go on adding to this delegation but because of Gopalaswami's wishes I felt it difficult to refuse. So we have asked Vellodi and Parthasarthi also to go. They will have to go by a subsequent plane as only three seats are available tomorrow. These three seats will probably be occupied by Gopalaswami, Setalvad and Kaul.

Setalvad again wanted to take a senior lawyer from Bombay, named Joshi, with him. I tried to dissuade him but felt ultimately that if Setalvad is really keen we should respect his wishes. We have pointed out to him, however, that accommodation is limited to begin with. Joshi can go by a later plane or he could wait till he receives instructions from New York after Setalvad's arrival.

You will thus see that our delegation has been swelling up and I do not know if it is complete even now. Of course, the matter is most important and we should not do anything which might impair the work of our delegation. Only I do not want to send wholly unnecessary extras.

In your absence I had a talk with V. P. Menon and told him of these developments. I have been wondering whether you would like some special representative of the States Ministry to accompany this delegation. There is no doubt that the States question will be raised there in various ways. Junagadh, of course, will come up in some form or other in spite of our desire to limit the issue. We have therefore instructed our men to take all necessary papers relating to Junagadh.

From Mr. Ghazanfar Ali's[3] statement in today's papers it appears that they are likely to raise in some form or other the question of massacres in some of the Indian States which have acceded to the Indian Union, for instance, Patiala, Nabha, Kapurthala, Alwar and Bharatpur. All these are, of course, entirely outside the reference and irrelevant issues but we should be prepared for everything so as to counter it effectively. In these circumstances, would you like to send someone specially representing the States Ministry with this delegation? I fear he will have to go by a subsequent plane.

1 ICS; Secretary, Union Ministry of States, October 1947—November 1949

2 Son of Gopalaswami Ayyangar, now Vice-Chancellor, Jawaharlal Nehru University

3 Minister, Pakistan Government

On behalf of Pakistan, Zafrullah Khan,[1] Mohammad Ali[2] and another person are going.

Another question arises. Lord Mountbatten spoke to me two or three days ago insisting on proper publicity arrangements being made for our delegation. At that time I said that we might ask Kaul to function also as our Public Relations Officer with the delegation and help the delegation. I sent a cable to [N.R.] Pillai[3] in New York to ask [Dr. K. S.] Shelvankar[4] to assist the delegation in publicity work.

At the instance of Lord Mountbatten I sent Kaul to see [Alan] Campbell-Johnson [Press Attache of the Viceroy]. I have now received a letter from Lord Mountbatten in which he says that as a result of the talk between Colonel Kaul and Campbell-Johnson, it seems clear to him that we must send a first-class and fulltime Public Relations expert with the party. At Campbell-Johnson's suggestion he recommends that B. L. Sharma of the Information Department should be sent. He says that he is completely convinced that someone like Sharma should be there to cope with the urgent publicity problems that are bound to arise.

In view of Lord Mountbatten's insistence, and that insistence is in our interest, it might be desirable to send Sharma if you agree. I myself do not know Sharma well and I am not clear how useful he will be, nor do I know whether he is particularly in touch with the Kashmir situation. I should myself have thought that between Kaul and Shelvankar they might be able to deal with the situation, although Kaul of course is not a specialist in this kind of work. But Lord Mountbatten is so anxious about this that I do not like saying no to him. In any event if Sharma goes, he will have to wait for the next batch.

I should like you to consider these matters and to let me have your views soon.

Yours sincerely,
Jawaharlal Nehru

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

[1] Foreign Minister of Pakistan; at present Judge of International Court of Justice

[2] Cabinet Secretary, Pakistan Government

[3] Senior officer of External Affairs Ministry; India's Permanent Representative at UN and later Cabinet Secretary

[4] London correspondent of the Hindu, Madras

New Delhi
7 January 1948

My dear Jawaharlal,

Thank you for your letter dated 7 January 1948. Perhaps any comment from me at this stage, when part of the delegation has already left and arrangements for others have already been made, is unnecessary; but I agree with you that the delegation has grown unwieldy and I feel that the inclusion of Sheikh Mohammad Abdullah in the delegation might lead to some complication. For instance, the Pakistan Government might press for an invitation to issue to the Head of the Azad Kashmir Government.

2. As regards a representative from the States Ministry, I understand from Menon that full material has already been supplied to the delegation in regard to other matters. I have asked him to find out if any further material is required and if so to furnish the same. I do not feel that the association of a representative from the States Ministry with the delegation would be of any particular advantage.

3. As regards publicity arrangements, for some time past I have felt that our publicity needs an overhaul. Recently we have taken some decisions to improve the publicity organisation. As part of those arrangements we have appointed B. L. Sharma to be Publicity Co-ordination Officer in the Information & Broadcasting Ministry. His departure at a time when we have just started would, of course, dislocate the whole work and disturb the pace at which I wanted the work to proceed. We have just now suffered a blow, in that Bhalja [Secretary to the Ministry] has had to take leave under medical advice owing to a serious eye trouble. He will have to leave for the U.K. or the U.S.A., as soon as he can. I am really extremely doubtful whether we would be able to spare him [Sharma] even for a short period of a fortnight or so that might be required; but if you feel that we must accede to Lord Mountbatten's wishes, I have no objection to letting him go.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Pandit Jawaharlal Nehru
New Delhi

New Delhi
8 January 1948

My dear Jawaharlal,

Before I left on tour for Assam, you wrote to me about a complaint from Bakshi Ghulam Mohammad that the Home Guards were not getting firearms sent by us, and that the latter were being directed to the RSS. There was a suggestion that His Highness and Mahajan were to blame for it.

I have now had enquiries made of Mahajan, and the position seems to be as follows. Neither His Highness nor Mahajan nor the Military Adviser of the State was told about the supply of these arms, and they had no information as to who got and distributed them. Subsequently, Mahajan ascertained that the arms were supplied to Major-General Kulwant Singh, and he has been giving them to Bakshi. Apparently, he has not complied with Bakshi's request for light machine-guns and mortars on the ground that there were no Home Guards fit to use these arms. It also appears that Bakshi ordered these arms for the Home Guards without any reference to His Highness or Mahajan.

As regards the complaint that the RSS were being armed, both His Highness and Mahajan have not ordered directly or indirectly any arms to be supplied to these people. There were complaints against some of the RSS people that they were creating mischief against the Muslims in the State. Mahajan called all the leaders and told them that this could not be tolerated. No arms were supplied whatsoever; actually there were not even sufficient arms to supply to the State forces. Some RSS men joined the militia which was raised by the State, but they were under military discipline and fought certain battles on the border. Sheikh Abdullah had taken charge. Mahajan says he has virtually had no connection whatsoever with this aspect of the State Administration.

As regards the relief committee appointed by His Highness, it appears that His Highness gave a donation of Rs. 30,000 for the benefit of refugees from Mirpur and other places, and had appointed a committee to administer this fund. The committee consists of the Chief Emergency Officer, Jammu (chairman),

Colonel Baldev Singh Pathania, Lala Dina Nath Mahajan (a member of the Praja Sabha) and another member who is a local resident of great eminence and also president of the RSS. Mahajan contends that His Highness is entitled to appoint a committee of his own for distribution of his private funds.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Pandit Jawaharlal Nehru
New Delhi

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New Delhi
8 January 1948

My dear Vallabhbhai,

Lately there has been a spate of messages in the English Press about the Kashmir situation. Many of these messsages have been tendentious; in particular the Daily Telegraph and the Daily Mail have been repeatedly giving news about attacks on Jammu town by the invaders as well as breach of our communications between Pathankot and Jammu. These items of news have often been completely false or grossly exaggerated. The BBC has also announced on two or three occasions that Jammu has either fallen or that street fighting was going on in Jammu.

I do not know how these foreign correspondents get these stories. I imagine that they got them from Pakistan sources. Something has to be done about this false and tendentious propaganda. I do not know what contacts we have with these foreign correspondents. I suppose that the Information Department keeps in touch with them individually as well as a group.

May I suggest to you to look into this matter?

If you so desire we can deal with it also. We have in fact drawn the attention of the High Commissioner of the U. K. to this business of dissemination of false news by English papers. We are also communicating with our High Commissioner's office in London on this subject.

Yours sincerely,
Jawaharlal

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

New Delhi
9 January 1948

My dear Jawaharlal,

Thank you for your letter dated 8 January 1948 about tendentious messages sent by foreign correspondents regarding Kashmir.

2. I myself have been noticing a tendency on the part of some foreign correspondents to introduce personal or party prejudices in the despatch of news about Kashmir. You will recall that some time ago we had a conference with the Foreign Journalists Association at Government House. It was clearly recognised that censorship was out of the question and that these correspondents had to be handled tactfully and at a high level. Since then we have been trying to secure an improvement by means of friendly personal contacts either between myself and individual correspondents or between Bhalja and them. We have succeeded in our objective to some extent.

3. But the difficulty is that foreign papers have representatives in Karachi and they also send their despatches to their papers in the U.K. Their counterparts here are powerless to control them. I took up this matter with Norman Cliff, who is now the President of the Association, some time ago and he pleaded his inability to control the representatives of these papers in Pakistan. I am calling for a report from our P.I.O. [Principal Information Officer] on these despatches of foreign correspondents and will see how far the blame rests with the Karachi respresentatives and to what extent the New Delhi representatives are involved. I shall then see what more we can do to bring them round. In the meantime I am asking Menon to approach Campbell-Johnson to secure that our views get across to these correspondents.

4. Yesterday, on my return from tour I learnt that the BBC had put out news regarding the fall of Jammu and fight in its streets. I immediately took steps to have a contradiction issued and also to have that contradiction broadcast on our own radio.

5. I am glad you have drawn the attention of the U.K. High Commissioner to these matters and that you have also

written to our High Commissioner's office in London on this subject.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Pandit Jawaharlal Nehru
New Delhi

120

New Delhi
9 January 1948

My dear Jawaharlal,

You will be interested in the enclosed report which I have received from Bombay.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Pandit Jawaharlal Nehru
New Delhi

ENCLOSURE

A Pathan who arrived in Bombay a couple of days ago and who is known to me for the last several years, has now informed me that during the 2nd or 3rd week of January 1948 when there will be bitter cold, the Afridis, assisted by other Pathan tribes from the tribal area, have decided to attack Kashmir. He also told me that the Premier of the NWF Province has permitted the Afridis and other Pathans to pass through the NWFP to Kashmir in small groups in the guise of traders etc., taking precautions to conceal their arms.

I submit that this information may be passed on to Government for whatever it is worth.

The Pathan does not wish to disclose his identity.

121

Bombay
18 January 1948

My dear Jawaharlal,

You will be interested in the enclosed intercept.

Yours sincerely,
Vallabhhai Patel

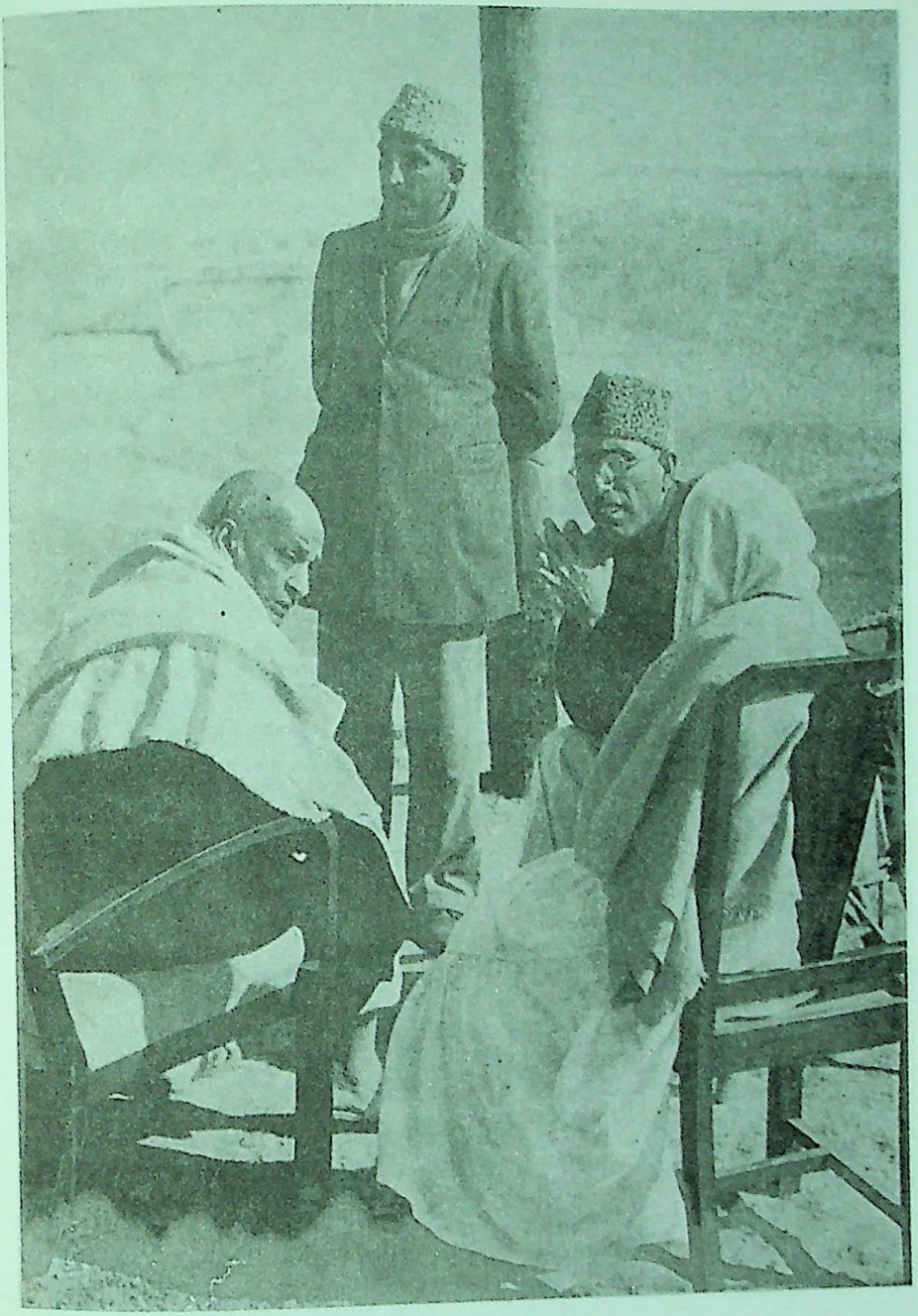
The Hon'ble Pandit Jawaharlal Nehru
New Delhi

ENCLOSURE

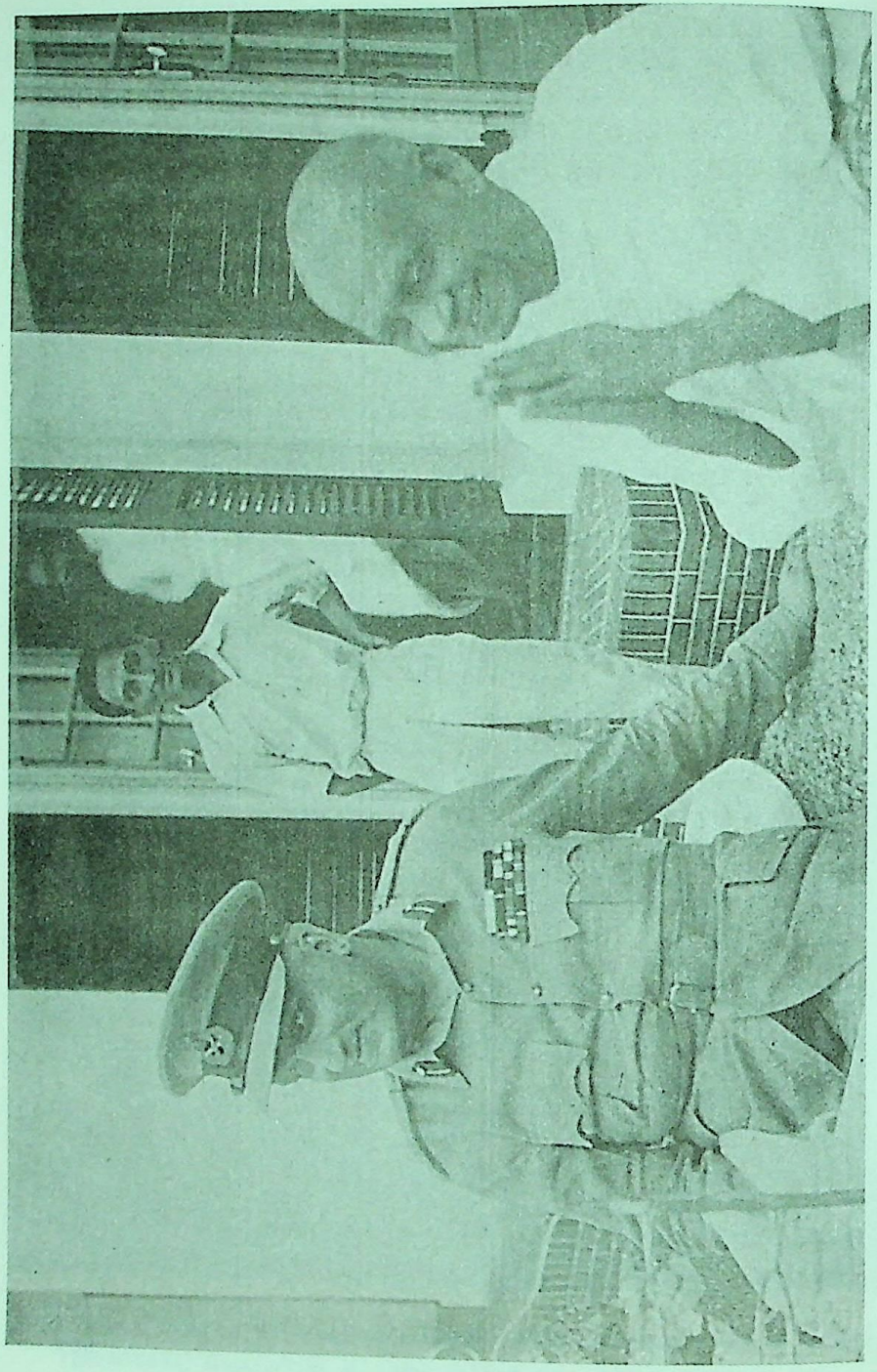
EXTRACT FROM AN INTERCEPTED LETTER DATED 11-12-'47 FROM MOHAMMED FEROZE KHAN, KOHAT CANTONMENT, ADDRESSED TO MUQARRAB ALI KHAN, S/O ALEM-UD-DIN PATHAN, CHAK NO. 7, SOUTHERN SAYADANWALA, P. O. BHAIWAL, DISTRICT SARGODHA, RECEIVED THROUGH EAST PUNJAB C.I.D.

"I have already applied for leave, but it has not been sanctioned for our regiment is going to be transferred, but I do not know where. But from the Signals Group it has been learnt that the regiment will go to 'Palestine'. I was too anxious to meet you all but the men already on leave are being recalled. Please inform that when you went on leave to Sialkot was there any cavalry stationed there or one was expected to reach there? If not, then my regiment will surely come to Sialkot. I know well about Kashmir as I am near to it. All persons of our cavalry of Kashmir, Jammu and Poonch have been sent to their home with arms. Pathans there are numberless and those who were mainly engaged in loot have been turned back. Now Pathans from Kabul are being sent to Kashmir, which is considered as 'Pakistan'. If God wished, we would be successful.

"Further I do not also like to come on leave as I fear that I may not be transferred to battalions which are now being formed, as all surplus men are attached to them."



SARDAR IN CONVERSATION WITH SHEIKH ABDULLAH IN KASHMIR. ALSO SEEN ARE MANIBEN PATEL AND BAKSHI GHULAM MOHAMMAD (STANDING)



WITH MAHARAJA HARI SINGH IN DELHI

The Palace
Jammu-Tawi
25 January 1948

My dear Sardar Patel,

I have been perusing with some interest the proceedings that are taking place before the Security Council. I must say that I am not fully satisfied with what is happening there. It is true that I left this matter in the hands of the Indian Government but I expected that I will be fully informed of all that was happening before the Security Council and the attitude taken up by our delegation before that Council. Unfortunately I have been more or less ignored in this matter.

It should not be forgotten that the matter of accession is either for me or, according to the view of the Government of India, for me and my people. It is not a matter either for the Government of India or for the Pakistan Government's decision. To which Dominion the State should accede—strictly speaking—according to the Government of India Act, I alone am the authority to decide and this is the view that Pakistan has always maintained. However, the Government of the Indian Dominion is supported by the people. This matter again is wholly foreign and antecedent to accession and is not a matter in which Pakistan is entitled to interfere. As to how the plebiscite is to be taken and under what authority it has to be taken and what will be the franchise, are again matters which I am the final authority to decide in consultation with my Government for the time being. I hope this position is being realised by the Government of the Indian Dominion while they are presenting the case before the Security Council. It seems to me that the Ruler of the State and the Government of the State and their wishes in the matter for settling the issue are not having the proper regard as they should.

As I have already mentioned to you and Panditji, I will certainly be guided in all these matters by your advice and I still maintain that position. I consider my position is quite safe in the hands of both of you, but at the same time I do expect that I should be kept fully in touch and without consulting me

and my Government no commitment should be made before the Security Council. As I have mentioned for the last fortnight I have not received any communication on this important subject either from the Government of the Indian Dominion or from their delegation in America.

With kindest regards and best wishes,

Yours sincerely,
Hari Singh

Sardar Vallabhbhai Patel
New Delhi

123

New Delhi
28 January 1948

My dear Maharaja Sahib,

Thank you for your letter dated 25 January 1948. I was out of Delhi for some time.

I too have been following with some anxiety the proceedings of the Security Council, but I was not fully in the picture as I was most of the time absent on tour. I fully realise your desire to be kept informed of the developments, which, however, are taking place so fast that I doubt whether it is at all possible for us to keep you fully and promptly posted from this distance. We shall, however, do our best.

Yours sincerely,
Vallabhbhai Patel

H.H. Maharaja Sir Hari Singh
Maharaja of Jammu and Kashmir
Jammu

124

The Palace
Jammu-Tawi
31 January 1948

My dear Sardar Patel,

Since your departure from Jammu I have been watching developments of events here and outside. News from New York [has] been very depressing. Several thoughts have been turning round

my mind and I have decided to lay them before you for sympathetic consideration and friendly advice. I do not wish to take any step except with your agreement.

The military situation as you know has been quite depressing since the arrival of Indian troops. Except the first gains in the Kashmir Valley there has been a debit balance throughout so far as achievements are concerned. The Indian troops arrived in the Valley on 27 October. At that time we were in possession of about 3/4th of Poonch and the whole of Mirpur district. We had by then lost only small bits of Poonch and Muzaffarabad district. After the recapture of Baramulla and Uri there has been a standstill. Two months have passed and the Indian troops are still at Uri. They attempted a venture to the town of Poonch and though they reached it was at great cost and the road was eventually lost. In the Poonch Jagir which was held by the State troops inch by inch we had to withdraw and eventually lost the whole of the Jagir except the town itself where about 40,000 people are besieged along with 4 battalions (3 State and 1 Indian). The situation is by no means satisfactory. I may mention that in the August disturbances with two battalions of the State troops we cleared the whole of the Poonch Jagir, peace was restored, the whole of the revenue was realised and the Administration was functioning normally. It was only in the second week of October that trouble again began in Poonch and our troops resisted it till about the end of December. But as no help was given they had eventually to fall back on Poonch town. If the Indian troops had ventured forward along with the State troops in Poonch, there would have been no difficulty in clearing that area of the raiders. I feel that the Indian military advisers take an exaggerated view about the difficulty of fighting in Poonch. I know some of that area myself and as a soldier can say that it is not difficult to clear Poonch of the raiders in the course of a fortnight or so if a strong military venture (with modern weapons and equipment) is undertaken, but they would have to act mercilessly and not leniently.

In Mirpur district at the time when the Indian forces arrived we were still holding Mangla and our territory along the Jhelum Canal bank, but during the last two months we have lost Mangla, Alibeg, Gurdwara and the town of Mirpur, the town of Bhimber and the villages of Deva and Battala, the town of Rajouri and the whole of the area adjoining Chhamb and Noshera. Jhangar, a key-place both for Mirpur and Kotli, was lost after a defeat. These defeats have been a heavy blow to us and have also

undermined the prestige of the Indian forces. Not a single town has so far been recovered by the Indian troops. The people judge an army from results and not from propaganda carried on about it. On the Kathua-Sialkot border attacks have intensified. Every day there is one raid or another. A number of villages have been burnt, people have been looted, women abducted and there have been killings also. The result is that all the border villages have been vacated and we have about 70,000 to 80,000 refugees in the city of Jammu. Crops, houses and valuables have been lost. Most of the people are also now vacating Jammu and its suburbs and are going to East Punjab. The situation, therefore, is worsening every day.

The name of the Indian Army is getting into the mud in spite of its brilliant record. I was a member of the War Cabinet. I travelled in war zones during the Great War. The name of the Indian Army was at its highest pitch and it pains me to see that the name of that Army has become a topic of every tongue during these days and it is daily losing prestige. Some people think that it is not the fault of the Army but the fault of the policy that is being followed; others feel that it is the fault of the commanders who are quite new to the job. People who would have had to wait for 10 to 15 years have become generals and have been put in charge of operations. Opinions differ, but the fact is that the name of the Army is in the mud. Sardar Baldev Singh was here for a day. He has heard from our politicians, members of the public and from me and my Prime Minister all that everyone had to say. He told me secretly that he had ordered certain actions to be taken. I told him that a mere order is nothing unless it is implemented. When you kindly spent two days with us here a number of decisions were taken and you gave instructions in certain matters. Since your departure nothing has been done and as I have said, we had more serious attacks. The effort on the part of Pakistan is gaining ground every day. Their morale owing to success is going up. They loot property, they take away cattle and women and when they go back to Pakistan they incite people and tell them how much loot and what benefits there are to raid our territory. On the other hand our morale is rapidly going down. So far as the people are concerned they are thoroughly demoralised and they start fleeing as soon as there is even a rumour of a raid. Even people living at distant places start fleeing when they see a fire five or six miles from their villages. So far as the Indian forces are concerned they do not leave their apportioned places to meet the raiders. There are no mobile

columns to meet them. The work is left to a few Home Guards or to a platoon or so of very tired State forces. How can it be possible for them to engage 500 or 1,000 raiders? Last time, you ordered guerillas to come into the State and take over this work. As far as I know no guerillas have arrived so far. Some Home Guards have been raised, but they have to look after their homes and they live in those very localities. Moreover, they are mostly not trained and cannot be expected to meet trained people. The work has mainly to be done by the Army and supplemented by the Home Guards and by organised guerillas.

In the situation, therefore, my position as Ruler has become very anomalous and one of great perplexity. People in the State continue sending me telegrams and asking for help. Our civil administration is now in the hands of the National Conference and military operations in the hands of the Indian Union. I have no voice or power either on the civil or the military side. The State forces are under the Indian Army Commander. The result, therefore, is that I have just to watch the terrible situation in a helpless manner, to look on at the abduction of women, killing and loss of my people without power to give them any redress whatever. People continue to approach me every day and still think that it lies in my power to give them relief and redress. You will realise that my position is getting most awkward every day, so long as the military situation is adverse to us and refugees continue pouring into the city and daily raids from Pakistan keep on coming without any reply from us.

Apart from the military situation the reference to the UNO and the proceedings that are hanging fire there are causing great uncertainty and perplexity not only to me but to every Hindu and Sikh in the State as well as to those who belong to the National Conference. The feeling is strongly gaining ground that the UN Security Council will take an adverse decision and that the State will eventually have to accede to Pakistan as a result of what the Security Council will decide. The Hindus and Sikhs have therefore started going away from the State as they anticipate that their fate as a result of the UNO decision will be the same as what happened in West Punjab and therefore it is much better to clear out of the State before that eventuality arises. The National Conference leaders also feel that they may eventually be let down by accepting the decision of the Security Council and that would be disastrous for them. My position in this matter is also precarious. You know I definitely acceded to the Indian Union with the idea that the Union will not let us

down and the State would remain acceded to the Union and my position and that of my dynasty would remain secure. It was for this reason that I accepted the advice of the Indian Union in the matter of internal administration. If we have to go to Pakistan it was wholly unnecessary to accede to India or to mould the internal administration according to the desire of the Indian Union. I feel that the internal administration or the question of accession is wholly foreign to the jurisdiction of the Security Council. The Indian Union only referred a limited question to the Security Council, but the whole issue has been enlarged and not only the matter of aggression by one Dominion over the other is being considered by the Security Council but internal questions of the formation of Interim Government and the matter of accession have all been taken notice of by them. It was a wrong step in going on the limited issue to the Security Council and then agreeing to the enlargement of the agenda before that Council. As soon as the Council enlarged the agenda the Indian Union should have withdrawn the reference and ended the matter.

In the situation described above a feeling comes to my mind as to the possible steps that I may take to make, so far as I am concerned, a clean breast of the situation. Sometimes I feel that I should withdraw the accession that I have made to the Indian Union. The Union only provisionally accepted the accession and if the Union cannot recover back our territory and is going eventually to agree to the decision of the Security Council which may result to handing us over to Pakistan then there is no point in sticking to the accession of the State to the Indian Union. For the time being it may be possible to have better terms from Pakistan, but that is immaterial because eventually it would mean an end of the dynasty and end of the Hindus and Sikhs in the State. There is an alternative possible for me and that is to withdraw the accession and that may kill the reference to the UNO because the Indian Union will have no right to continue the proceedings before the Council if the accession is withdrawn. The result may be a return to the position the State held before the accession. The difficulty in that situation, however, will be that the Indian troops cannot be maintained in the State except as volunteers to help the State. I am prepared to take over command of my own forces along with the forces of the Indian Army as volunteers to help the State. I am prepared to lead my Army personally and to command, if the Indian Union agrees, also their troops. It would certainly hearten my people and the troops. I know my country much better than any of your generals will know it even during

the next several months or years and I am prepared to take the venture boldly rather than merely keep on sitting here doing nothing. It is for you to consider whether the Indian Union will accept this in both the situations, whether after the withdrawal of the accession or even if the accession continues. I am tired of my present life and it is much better to die fighting than watch helplessly the heartbreaking misery of my people. So far as the internal political situation is concerned I have left the matter entirely to you personally. I am prepared to be a constitutional Ruler of the State and when a new constitution is framed I am quite willing to give responsible government, but I am not prepared to go beyond the Mysore model because I am not satisfied that the leaders of the National Conference are for the time being very fit administrators or command the confidence of the Hindus and Sikhs and even of a large section of the Muslims. I must therefore keep certain reserved powers of which you are already aware and I must have a Dewan of my free choice as a member of the Cabinet and possibly as President.

Another alternative that strikes me is that if I can do nothing I should leave the State (short of abdication) and reside outside so that people do not think that I can do anything for them. For their grievances they can hold the civil administration responsible or the Indian forces who are in charge of the defence of the State. The responsibility will then clearly be either of the Indian Union or of the Administration of Sheikh Abdullah. If there is any criticism those responsible can have it and the responsibility for the suffering of the people will not be mine. Of course, I well anticipate that as people started saying when I left Kashmir only on Mr. Menon's advice that I had run away from Srinagar they will say that I have left them in their hour of misery, but it is no use remaining in a position where one can do nothing merely to avoid criticism. Of course, if I go out of the State I will have to take the public into confidence and tell them the reasons why I am going out.

The third alternative in the situation that has arisen is that the Indian Dominion discharges its duty on the military side effectively and makes an all-out effort to stop the raids from Pakistan and to drive out of the State not only the raiders but also all rebels. This can only be done if the Dominion really fights. It has avoided fighting so far. Two or three courageous battles will more or less end this situation, and if it is delayed there is bound to be a catastrophe. Pakistan is more organised against Kashmir than the Indian Dominion, and as soon as snow melts it will start

attacking Kashmir on all sides and the province of Ladakh will also come into the hands of the enemy and the Valley and the whole border will be raided and even double the number of troops at present in Jammu and Kashmir will not be able to save the situation. What should have been done and achieved a month before can still be achieved during the next month, but if matters are delayed and if owing to the UNO reference and the attitude of compromise the situation remains at a standstill it would become terribly grave after the expiry of a month. Therefore, unless the Indian Union makes up its mind to fight fully and effectively, I may have to decide upon the two alternatives mentioned above.

I have mentioned all that I have been thinking about to you and this may be treated as a secret and private letter. The object of writing this is to place all my feelings, right or wrong, foolish or wise, before you so that you may be in full possession of the situation and may be able to advise me properly. I am sending this letter by hand of a special messenger and I hope you will kindly send me an early reply so that I may be well guided in this hour of crisis and distress.

With kindest regards and best wishes,

Yours sincerely,
Hari Singh

125

New Delhi
9 February 1948

My dear Jawaharlal,

You remember you spoke to me the other day about a letter from His Highness the Maharaja of Kashmir [See No 124]. I received the letter only yesterday and send herewith a copy of the same. You will find that it differs from the account which Bakshi gave you of its contents.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Pandit Jawaharlal Nehru
New Delhi

126

New Delhi
9 February 1948

My dear Vallabhbhai,

Thank you for your letter of 9 February sending me a copy of the Maharaja of Kashmir's letter.

It seems to me that the wisest policy he can pursue at the present moment is to do nothing at all. Certainly the idea of his cancelling the accession is completely wrong. That will only lead to trouble for him and for us. As for his going out of Kashmir for a while, this might be feasible, but I rather think that he should just stay on for the present. You will have noticed the repeated references made in the Security Council about the so-called autocratic rule of the Maharaja. The system of Indian States finds little favour in foreign countries and [Sir Mohd.] Zafrullah[1] [Khan] has tried to make the most of this.

As for his advice that the Indian Dominion should carry on operations more effectively, certainly we have not desired to tone down our operations in any way. Indeed, we have done our utmost to push them on and have given these directions to our military commanders. If something has come in our way, it is not the fault of the Government. Our recent success in the Naushera region is an important one and should have considerable results in that region.

Yours sincerely,
Jawaharlal

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

127

New Delhi
9 February 1948

My dear Maharaja Sahib,

Thank you for your letter of 31 January delivered to me at 10 a.m. on 8 February by your ADC.

1 Sir Mohd. Zafrullah Khan, Pakistan Foreign Minister who led Pakistan Delegation to Security Council

I fully realise what an anxious time you must be having. I can assure you that I am no less anxious about the Kashmir situation and what is happening in the UNO, but whatever the present situation may be, a counsel of despair is entirely out of place.

I have been somewhat out of touch with the current military position as well as the UNO situation owing to my tours and the ghastly tragedy which has overtaken all of us.[1] I shall write to you again after some time.

I hope you have had good news from the USA about the Yuvraj.

With kindest regards to both of you,

Yours sincerely,
Vallabhbhai Patel

His Highness Maharaja
Sir Hari Singh
Maharaja of Jammu & Kashmir
Jammu (Tawi)

128

New Delhi
10 February 1948

My dear Jawaharlal,

Thank you for your letter of 9 February 1948. Regarding the Maharaja of Kashmir's letter, I have already written to him that a counsel of despair is entirely out of place. I agree with you that withdrawal from accession would only land him in worse difficulties and that for the time being he had better stay where he is. The latest military success is most reassuring and ought to raise the morale of the people in Jammu.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Pandit Jawaharlal Nehru
New Delhi

[1] On 30 January Mahatma Gandhi was assassinated at Birla House, New Delhi.

CHAPTER XI

DEADLOCK RESOLVED

129

New Delhi
10 February 1948

My dear Baldev Singh,

I should be grateful if you would kindly convey to Brigadier Osman[1] and his men my heartiest congratulations on their success in the recent operations against the raiders and my warmest appreciation of the courage, valour, resourcefulness and determination with which they have repulsed such serious attacks on our position in Naushera. Their achievement on this occasion is in the best traditions of the Indian Army and we are all proud of it.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Sardar Baldev Singh
New Delhi

130

New Delhi
1 February 1948

My dear Sardar Sahib,

Last evening I mentioned to you that a circular had been issued by the Government making the production of certificates of eligibility obligatory in the case of Kashmir "nationals" seeking employment under the Governments in India. You desired me to send you a copy of the circular. The copy I was given is enclosed. It is not clear from which department it has been issued, but I am told that applicants are in fact being asked to produce such certificates. The provisions of the circular cause a

1 Hero of battle of Naushera; distinguished himself as outstanding soldier and fearless leader. He was first Brigadier to be killed in Kashmir campaign by Pakistani Army on night of July 3-4 1948 at Jhangar.

great deal of hardship to residents of Kashmir, who are nowadays compelled by circumstances to seek their livelihood in India in increasing numbers. It will be an act of kindness—and it would remove a real hardship—if the circular—assuming that it is genuine and is based on competent authority—is cancelled.

2. There is another matter which I should like to bring to your notice, viz. the restrictions on the movements of residents of Kashmir. At present both for air passages as well as for road journeys permits are necessary for egress from and ingress into Kashmir. Though there may have been some justification for the restriction when it was originally imposed, its continuance now greatly hampers normal traffic and thereby causes considerable economic and psychological distress to the people. In fact, the present urge among certain classes of people in Kashmir to leave their homes is largely due to this restriction. If traffic were free and people could feel that they could come and go as they liked, the probability is that the urgency of their desire to leave for India would be substantially diminished. Even if regulation of traffic is still considered desirable, it should not be difficult to devise suitable safeguards without impeding traffic.

With kindest regards,

Yours sincerely,
Ramchandra Kak

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

131

PLAN OF ATTACK

Simla-E
2 March 1948

Forwarded to the Hon'ble Deputy Prime Minister, India, with the compliments of the Premier, East Punjab.

ENCLOSURE

There is a lot of activity on the Uri front. At Rawalkot, about 8,000 Pathans were seen on 27 February 1948. It is reported that they are moving up to Sanghola where a base has been established. At Rawalkot, according to information received, some kind of landing ground has been prepared and two small size aeroplanes were landed there as an experimental measure. The intention is to deliver ammunition at Rawalkot for use on the Uri front.

2. A certain number of Pathans have been seen visiting Lahore Fort [since] the last four days. It is stated that small batches of intelligent Pathans are being given training in the use of wireless apparatus and hand-grenades.

3. A squadron of 25 desperadoes has been trained in Lahore Fort and is being sent to Poonch. The intention is that they should manage to [infiltrate] into Poonch city and at a fixed date and time should set the city ablaze. In all probability this time and date will coincide with a fresh attack on the Uri front.

Four thousand Pathans were seen at Rajori in Mirpur vicinity.

Muzaffarabad has a big concentration camp and a base is being established at this place to back up the expected attack next month. Twenty jeep cars and other light transport have also been supplied.

At village Baral where there is an old fort, which falls on the route to Sainsar and Mirpur, large stocks of ammunition are reported and there are also about 3,000 local men to join hands with the armed Pathans.

4. According to the recent plan, the intention is to cut Srinagar road near Ramsu.

5. The 1/14 Punjab Regiment that left Lahore is reported to have passed Gujarat towards the Bhimbar side.

6. A large building belonging to Kashmir State in Lahori Mandi is in the occupation of Ch. Hamid Ullah, President, Muslim Conference. About 60 armed Pathans are also staying there to provide escort for transport carrying ammunition from Chatral House on Queen's Road, Lahore, to out-stations. As already reported, ammunition brought from Lahore Cantonment is first taken to this place and then is carried in trucks to various destinations outside Lahore. Escort is supplied from Lahori Mandi for these trucks.

7. Pathans have now been pushed out of Chaprar and are concentrating at village Naria towards the border.

8. An observer reports the presence of troops at the following places:

1.	Salapur	200
2.	Chaprar	200
3.	Head Marala	100
4.	Large concentrations near Suchetgarh.	

9. Two big guns, presumably 25-pounders, have also been seen in addition to anti-aircraft guns near Suchetgarh.

A telephonic message has been intercepted by Mr. T. R. Bhasin, Regional Liaison Officer. It runs as follows:

> "Sardar Ibrahim speaking—2.25 lakhs have been sanctioned—Ghulam Mohd. (presumably a military officer) should come from Gujarat and attend the conference. We will round up the country by 16 March 1948."

This information . . . in connection with sending a desperado squad to Poonch and the general activity to back up the Uri front, will go to show that a well-oraganised attack is likely to be directed on 16 March 1948.

132

Jammoon (Jammu)
2 March 1948

My dear Sardarji,

I am writing this to express my sincerest thanks to you for the kindness and affection shown to me during the last five months. I hope you will always regard me as a younger brother. Manibenji has always treated me as a member of the family. I hope to get my release in a day or two and I will go to my family at Pathankot and take a little holiday before going to my court at Simla. With kindest regards,

Assuring you of loyal service always,

Yours sincerely,
Mehrchand Mahajan

Sardar Vallabhbhai Patel
New Delhi

133

New Delhi
4 March 1948

My dear Mahajan,

Thank you for your letter of 2 March 1948 which was delivered to me by Shankar. It is very nice of you to have written to us in such affectionate terms. I need hardly say that we fully reciprocate those sentiments.

I know how difficult it must have been for His Highness to come to this decision to relieve you. You have been his main support during the last few critical months. We ourselves have found you most helpful to and co-operative with us. I am therefore sorry, for myself, that your association with the State should have come to an end so soon, but you know the circumstances as well as I do.

I hope you will have some well-earned rest after the exciting and difficult times through which you have recently passed. I am sure you will look us up at Delhi some time.

I am sending herewith a signed copy of our photograph which was taken by one of my staff.

Yours sincerely,
Vallabhbhai Patel

Mehrchand Mahajan Esq.
Jammu

134

New Delhi
11 March 1948

My dear Maharaja Sahib,

I have been wanting to write to Your Highness since my return from Jammu, but something or the other has always stood in my way. I had the most busy two days immediately on my return because so many things about the proclamation etc. were required to be tied up and there were also heavy accumulations; then Sardar's illness took practically all my time until yesterday.

2. I am glad to say that he is much better, but he has been advised complete rest. We had one or two most anxious days on account of his illness.

3. On Sardar's behalf I have already written to Dr. Gopichand Bhargava[1] about Mr. Kathpalia whom Mahajan mentioned as a tutor for the Yuvraj. I am sorry, however, I have been unable to send a suitable man as Your Highness' private secretary. Sharma, whom we had discussed, is unwilling to go. We have been thinking hard whom else to send to you and have considered more than a dozen names, but have had to discard them for one reason or the other. Menon has gone on tour and is returning here on the 17th. We will try to suggest one shortly after his return; but we can assure you that we are all keenly alive to the urgency of the matter. In fact, Sardar has mentioned more than once even in his sick-bed that we have to send a suitable man as Your Highness' private secretary.

4. I hope Sheikh Sahib has by now reached Jammu and has had a discussion with Your Highness in regard to the formation of the Ministry and the terms and conditions of their service as well as of the Dewan. Menon told me that he has had a talk with him and that he was quite reasonable.

5. I am sending herewith a cutting from the Statesman, which I hope you have already seen. The item appeared in all the leading newspapers and indicates how progressive Your Highness' attitude has been on the question of reforms in the State. I spoke to Her Highness in some detail about the lack of publicity for what she and Your Highness have done and have been doing for the State. This is the first result of enlightening people here about one aspect of the previous history of Kashmir. I hope very soon it will be possible to do something more.

V. Shankar

Maharaja of Jammu & Kashmir
Jammu

[1] Congress worker of Punjab since 1919; was elected to Punjab Legislative Assembly 1937 and again 1946. Premier of Punjab, 1947-51

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East Punjab Education
Department
Simla-E
March 1948

My dear Shri Shankar,

The Premier, Dr. Gopichand [Bhargava], has passed on to me your letter of 9 March 1948 on the subject of a tutor for the Yuvraj of Kashmir for necessary action. I have enquired from Shri Harish Chandra, M.A., P.E.S. (Class I), Inspector of Training Institutions, East Punjab, who is willing to undertake the work of tutor to the Yuvraj of Kashmir provided suitable terms can be settled. Shri Harish Chandra is likely to be in Delhi between 5 and 7 April. I suggest that he may have a personal interview with the Hon'ble Sardar Vallabhbhai Patel or with yourself so that details can be settled. The East Punjab Government will be prepared to lend his services for a period of six months, if so desired.

Yours sincerely,
R. C. Chaterji
Education Secretary,
East Punjab Govt.

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New Delhi
26 March 1948

Dear Mr. R. C. Chaterji,

Thank you for your letter of no date regarding Shri Harish Chandra, Inspector of Training Institutions, East Punjab.

I shall be glad to see him when he comes here. Please ask him to get in touch with me as soon as possible after his arrival.

Yours sincerely,
V. Shankar

R. C. Chaterji Esq.
Education Secretary
East Punjab Government
Simla

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Amar Mahal Palace
Jammu-Tawi
22 March 1948

My dear Maniben,

Respects from both of us. You are already aware how worried we must be during these days. And since we learnt of Sardar Sahib's illness, our anxiety has grown still. Let us hope that by God's grace Sardar Sahib will recover from his illness and will resume his work as early as possible. Since the formation of responsible government here we were planning to come to you. But on hearing of Sardar's illness, we have abandoned this plan. I can well realise how deeply worried you must be and how, day and night, you must be looking after your father. At this time I had no mind to trouble you on any account. But the circumstances here are so shaping that I feel constrained to write to you. My request is that Mr. Shankar, with Sardar Sahib's approval, be sent over here for a day at the earliest. We would like to talk to him and acquaint him with the situation here, so that he may talk it over to Sardar and seek his advice for us. I cannot write more at this stage. Upon your and Sardar Sahib's words, we have entirely placed ourselves in your hands. Convey our respectful pranams to Sardar Sahib.

With best wishes,

Yours,
Tara Devi
[Maharani of Kashmir]

Maniben Vallabhbhai Patel
(Original in Hindi)

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New Delhi
3 April 1948

Dear V. Shankar,

I have given [Dwarkanath] Kachru a letter for the Maharaja, a letter for Sheikh Abdullah and a brief note for Bakshi. I should like you to read these letters and then deliver yourself the letter addressed to the Maharaja.

From these letters you will see what my general approach is. In the course of your talks with him you should speak firmly, but of course politely, about this general approach and about the dangers of anything being done which leads to conflict between the Maharaja and his Cabinet. Nothing can be more dangerous than the possibility of such a conflict. It may lead either to a resignation of the Cabinet and a complete deadlock or to a defiance of the Maharaja by the Cabinet which will not be good for the Maharaja and which may lead to unfortunate consequences for him and others. That is the basic situation and I wish the Maharaja would realise it. Any impression which the people or the Security Council may get that the Maharaja is still strong enough to obstruct and oppose the people's representatives will weaken our case very greatly and come in the way of our winning the people of Kashmir to our side.

Yours sincerely,
Jawaharlal Nehru

Shri V. Shankar
New Delhi

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6 April 1948

My dear Patel,

Please see the attached papers which you sent to me. I discussed this matter with Bakshi and his reactions are contained in the attached note. What Bakshi seemed to be concerned about was to maintain the separate entity of the Kashmir National Home Guards though he was prepared to comply with all the terms

and conditions which the Government of India had laid down for the East Punjab Militia. He would thus agree to an ordinance being issued as you suggest, and to raise the Militia. Thereafter such parts of it as are required would be placed at the disposal of the GOC for operational purposes in the same way, as he said, the Jammu and Kashmir State Forces were being placed. He said he was prepared to agree to the GOC, J & K Forces exercising the same powers over the Militia as he exercised over the rest of the State Forces which were not on operational duty. His main objection to item 3 of your note was that this would reduce the Kashmir Government to the position of a contractor and he said that it was too much to expect any self-respecting Government to do that. He is prepared to reorganise the Militia, if necessary, in the manner as you suggest in item 4 of your note. He was a bit difficult about it, but I explained to him that once the ordinance was passed, the whole force would have to be embodied under that ordinance and, therefore, its reshuffling was necessary. As regards finances, the arrangement would be the same as in the case of Jammu and Kashmir State Forces.

2. If you would want to have a further discussion with me, I could come at any time convenient to you.

Yours sincerely,
V. Shankar

H. M. Patel Esq.
Secretary, Ministry of Defence
New Delhi

FUTURE OF STATE FORCES OF JAMMU AND KASHMIR

5 April 1948

As commanded by His Highness, the Offg. Chief of Staff and the Military Adviser discussed the above subject with Hon'ble the Deputy Prime Minister on 4 April 1948. The following points were considered at this meeting:

1. The DPM in opening the discussion said that the first point to be considered was whether the SFs [State Forces] should be handed over in toto to the Govt. of India as a feeler in this direction had been put forward by the Govt. of India. The DPM, giving his personal views on the subject, stated that he was against such a move as besides other implications this would mean that the J & K SFs would lose their identity as such for ever.

The Military Adviser being asked to give his opinion stated that this was a matter which required very careful consideration before a decision could be given. In his opinion if the SFs were brought up to the same level in condition of service etc. as the Indian Army no material object would be served by handing over the SFs to the Govt. of India.

2. The DPM produced a signal from the Govt. of India which stated that it has been agreed that all SFs be brought up to the same scale of pay as the Indian Army in accordance with the new pay code, the difference being made up by the Government of India. The Offg. Chief of Staff suggested that this should be made applicable with retrospective effect from 1 Nov. '47.

The Military Adviser stated that he would get a copy of the new pay code from Delhi and then the matter would be put up for His Highness' commands. In the meantime the Military Adviser would inform all SFs regarding this decision.

3. The DPM stated that the Government of India had also agreed to make up the SF scale of ration to that of the Indian Army. Owing to transport difficulties on the L of C between Pathankot and Jammu it was not possible for the Indian Army to supply all rations for the SFs in kind. They would, however, supply such items which were not at present admissible to the SF. This would mean that an agency was still necessary to procure all such items of rations which could not be supplied by the Indian Army. It was, therefore, a matter for consideration as to whether this should be done by contractors or some other organisation.

The Military Adviser was of the opinion that there should be a J & K Army Supply Service which should handle this. This would be based on similar organisation to that of Supply and Purchasing sections of the RIASC. This was agreed to and the Offg. Chief of Staff was asked to work out the details of this organisation and put up his proposals.

4. The DPM asked as to how it was intended that His Highness' proclamation of 5 March '48 declaring that equal opportunities should be given to all State subjects in the Army as well as civil was to be given effect. The Military Adviser stated that he had already been commanded by His Highness to submit his recommendations. He pointed out that in giving practical effect to this order several factors have to be considered, the most important being that in no way was the efficiency and the morale of the Army affected by any changes which were brought about. Other limiting factors such as the availability of trained VCOs and NCOs from the new classes and the capacity of the existing training establishments to train fresh intakes would regulate the speed at which the new classes were to be absorbed. It was essential, however, that a start in this direction should be made immediately. In view of this it was suggested that:

(a) applications be invited from eligible candidates irrespective of class or creed for selection as cadets to be trained for commissions in the State Army.

(b) a recruiting organisation be set up in Srinagar to start enlistment of the new classes with a view to replacing all the shilpkars of one of the two Pioneer Companies recently raised and the deficiencies of 6th J & K Inf. the remnants of which were expected to be relieved from Skardu in the near future.

The DPM accepted these proposals provisionally and suggested that final orders should not be issued till his return from Srinagar in 4 or 5 days' time. The Military Adviser suggested that in the meantime the Chief of Staff should work out details with regard to the above proposals so that no time is lost in carrying out once the final decision is obtained.

Submitted for information.

Lt. Col.
Military Adviser

His Highness

Copy to:

1. Deputy Prime Minister, Jammu
2. Dewan Sahib, Jammu
3. Offg. Chief of Staff, Jammu

POINTS TO BE TAKEN UP WITH SHEIKH ABDULLAH

It is the privilege of a constitutional Ruler to advise and warn his Ministers, but he cannot overrule them. It is, therefore, impossible to expect the Maharaja to sign on the dotted lines on every paper that is put up to him. Where the Maharaja feels that a particular viewpoint should be specifically brought to the notice of the Ministry, he is within his rights, consistent with constitutional practice, to mention it to the Prime Minister either verbally or in writing.

2. Reserved subjects cannot form part of allotment of portfolios. The procedure again in accord with constitutional practice would be that these matters would initiate with the Diwan but would be referred to the Prime Minister of the Council of Ministers for advice. It will be then that the Prime Minister or the Council of Ministers would be formally seized of these matters.

3. In regard to both (1) and (2) above, it would be best to have mutual consultations between the Maharaja and the Prime Minister and if necessary other Ministers, so that each may be kept informed of what is happening and by these mutual contacts there may develop that mutual

confidence and reliance which are the foundation of all good democratic Governments. It is, therefore, to be hoped that both the Prime Minister and his Minister and His Highness would develop these mutual consultations rather than written notes as the normal means of acquainting themselves with each other's views, problems etc. Even in India the Governor-General has fixed weekly or fortnightly meetings with the Prime Minister and other Ministers apart from other consultations which take place on an ad hoc basis if and when necessary.

4. In regard to the repeal of the Arms Act, it does not seem to have been realised that in view of the present military operations the Government of India are also an interested party. Even normally in every country certain types of weapons are forbidden to the civilian populations. These are what are known as prohibited categories or bores. People are allowed to possess freely only certain categories of arms. The total repeal of the Arms Act would seem to have given the right to the people to possess arms of any description. They may be cannon, bren guns, machine-guns or even weapons of more offensive power. This is an aspect in which the Ministry is equally interested and which should, therefore, command their immediate attention. I am sure they themselves would want to see that the ordinary civilian population is not allowed to get armed to an extent that it can challenge on a more or less equal footing its own armed forces.

CHAPTER XII

TENSION BETWEEN ABDULLAH AND MAHARAJA

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New Delhi
11 April 1948

My dear Maharaja Sahib,

As Your Highness is aware, I am not in a position now to travel to Jammu to see you. I propose going to Mussoorie on or about 21 April for a change. I wonder whether Your Highness and the Maharani would care to come down to Delhi. This will be a change for you and I can also get an opportunity of having a talk with you.

His Excellency and Lady Mountbatten have told me that they would be delighted to put you up. If it is convenient would it be possible for Your Highness to start on the 16th or 17th? H.E. is going on tour on the 21st but this need not affect Your Highness' stay in Government House.

I am getting better and a change to Mussoorie will, I hope, do me a lot of good.

Looking forward to seeing you and with kindest regards to you both,

Yours sincerely,
Vallabhbhai Patel

His Highness
Maharaja of Kashmir

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Jammu-Tawi
13 April 1948

My dear Sardar Patelji,

Thanks for your kind letter of 11 April. We are glad that you are now feeling much better and are leaving for Mussoorie for a short holiday which is sure to do you a lot of good. We are

of course disappointed that you are not coming to us for a change and rest.

You have very kindly asked Her Highness and myself to come down to Delhi. We shall do so with pleasure and shall be delighted to see you. You have further suggested that we should leave on the 16th or 17th, but unfortunately it is not possible for us to leave on these dates. These are Pooja days and Her Highness performs Durga Pooja[1] during these days and Ram Navami[2] is on the 17th and on that day Her Highness and I visit the principal temple in Jammu, also the last Pooja is on the 18th morning. So we can only leave on the 18th after lunch, which I hope will be all right.

You have suggested that we can stay at Government House while we are in Delhi and that you have had a talk with Lord Mountbatten in this connection. In that case I think there should be an invitation from Lord Mountbatten asking us to stay with them. This invitation can, of course, come by telegram. Our party will be seven—Her Highness, myself, one A.D.C., one clerk and three servants. We would like to return to Jammu on the 22nd, leaving Delhi in the morning and arriving here in time for lunch.

There is a personal request on the part of Her Highness and that is that a special plane, if possible, may kindly be made available for our journey from Jammu to Delhi and back, which she hopes you will very kindly be able to arrange.

I shall be grateful if you ask Shankar to kindly arrange a hired car for us which we can use when we do not want to use the Government House car and which can also be used by our party.

Looking forward to meeting you soon and with kindest regards,

Yours sincerely,
Hari Singh

Sardar Vallabhbhai Patel
New Delhi

1 Hindu festival
2 Birthday of Lord Rama (of Ramayana)

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New Delhi
18 April 1948

My dear Miss Patel,

Many thanks for your kind invitation to lunch tomorrow, 19 April, which we have much pleasure in accepting.

Thanks for your kind enquiries. We have had a comfortable journey.

With kindest regards,

Yours sincerely,
Tara Devi
Maharani of Kashmir

Miss Maniben Vallabhbhai Patel
New Delhi

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Mussoorie
4 May 1948

My dear V. P. Menon,

Please see the letter from H. H. of Jammu and Kashmir, sent to H. M., (Honourable Member—Sardar Patel) about which I spoke to you last night. H. M. has asked me to request you to see Panditji about it, inviting his attention in particular to the fact that these jagirs[1] are being sought to be resumed without any payment of compensation whatsoever, which is quite contrary to anything that we are doing in the Indian Dominion, and that measures of this kind would merely create avoidable discontent and unhappiness, whereas the present is the time when there should be complete unity among the people of Jammu and Kashmir. It is also to be borne in mind that probably the jagirdars would be mostly non-Muslims and that this measure would probably create a certain amount of discontent and ill-feeling against the Government among the minority community. If Sheikh Sahib could be persuaded not to push on with this measure,

[1] Lands gifted to loyal supporters of ruling family

and instead if we could ask His Highness to exercise his influence with the jagirdars to persuade them to contribute one year's income towards the State to help the Government to relieve the present financial stringency, as suggested by His Highness, we would have secured some assistance for the present Government without in any way raising a hornet's nest.

I should be glad if you would kindly advise H. M. as to the terms of a reply after contacting H. P. M. [Honourable Prime Minister].

Yours sincerely,
V. Shankar

V. P. Menon Esq., CSI, CIE,
Secretary to Government of India
Ministry of States
New Delhi

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Mussoorie
4 May 1948

My dear V. P. Menon,

Hussain[1] told me a couple of weeks ago that he had met Brig. Usman and some other military officers, including Unni Nair,[2] who had all complained about publicity arrangements in Jammu & Kashmir. From my own experience of the publicity work being done by the Jammu & Kashmir Government I felt that something should be done to put matters right. I, therefore, wrote to Bakshi Sahib to ascertain if the Jammu & Kashmir Govt. would be willing to a suitable officer of ours going there and investigating on the spot and submitting proposals.

I have received the attached letter from Sh. Mohd. Abdullah which shows that they would welcome such a visit. If you agree, I would ask Hussain to go to Jammu & Kashmir for two or three days, stay there and to let us have his report. He would be the most suitable person for this purpose. He has a flair for publicity himself and is fully familiar with the publicity methods of those who are doing publicity work in Pakistan or Azad Kashmir.

1 Azim Hussain, ICS; son of late Sir Fazli Hussain and member of Indian Foreign Service
2 Public Relations Officer, Defence Ministry

I understand that Hussain had submitted a note to Mehta[1] on this matter, but Mehta was disinclined to do anything. I believe he spoke to you and after consultation with you, said that the matter had better wait for some time. It is quite clear from Sheikh Sahib's letter that it is one of great urgency and the sooner we put our publicity right the better. I wonder whether you are aware that publicity in Azad Kashmir [territory in J & K in illegal occupation of Pakistan] is in the hands of Dr. M. D. Tasser, one of the most competent publicity men in Pakistan. He was employed in the Counter-Propaganda Directorate here during the war and has naturally learnt a great deal from both our own methods and those of the British Information Services, who were mostly responsible for counter-propaganda.

Yours sincerely,
V. Shankar

V. P. Menon Esq., CSI, CIE
New Delhi

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Srinagar
27 April 1948

My dear Sardar Sahib,

Responsible government in Jammu and Kashmir State has been secured after a bitter struggle extending over seventeen years by the people of this State. Although we are fighting a war against an unscrupulous and savage enemy intent upon depriving us of our newly-won freedom, we have decided to hold freedom celebration during the week beginning from 7 May 1948. Our object is to show to the world the fine morale which the ordinary man and woman in Kashmir is possessed of and the tenacity with which the people of Kashmir are holding fast to their freedom.

You have all along supported us in our endeavours to free Kashmir and today when the country has been invaded, you are in no small measure helping us to win victory. Consequently when we are celebrating our freedom, we would very much appreciate if you make it convenient to be present at and participate in the various functions during the celebrations. The bonds of comradeship in struggle which have held us together so far would be considerably strengthened and cemented by your presence at the celebrations.

[1] N.C. Mehta, ICS; Secretary, Information Department, Government of India

Let me assure you that although we are facing great hardships, we will not be found sparing of efforts to welcome you and make your stay in Kashmir comfortable.

I should feel grateful if you inform the Kashmir Trade Commissioner (5, Prithviraj Road) in New Delhi of the date of your arrival in Srinagar. The Trade Commissioner would be able to help you in the matter of passage etc.

With best regards,

Yours sincerely,
S. M. Abdullah

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Mussoorie
4 May 1948

My dear Sheikh Sahib,

Thank you for your letter of 27 April and your very kind invitation to me to attend the celebrations.

I should have been very delighted to attend, but medical advice is against it and I have, therefore, to content myself with following the report of your celebrations with deep interest from such a distance. At this juncture, when not only are we facing a determined and unscrupulous enemy, the success of whose efforts would put in peril everything that is decent and precious in life, but when we have also been able to arrange by a spirit of mutual accommodation and a display of statesmanship on the part of His Highness the grant of responsible government, we need not reflect on the bitterness of the past but on the happy and cordial relations of the present and on the glory and prosperity of the future. This thought is prompted by a reference to the bitter struggle which you have made, and I thought I might as well emphasise this, particularly in the light of our own history. After all, few struggles could have been so prolonged and so bitter as ours, but eventually the British Government did the right thing by us and almost overnight the bitterness and hatred of the past were converted into mutual respect and friendship.

Although I shall be away from your celebrations, I need hardly say that my heart will be with you all. Our sympathies were throughout with you in the fight for freedom which you put up. In recent months, we have come closer and closer together till there is now a spirit of comradeship, which has been engendered by

common dangers as well as common ideologies. Our friendship is now settling down into an enduring affection, and let us hope that in future the bonds that will bind Jammu & Kashmir State and its people to us will mature into a permanent association in all spheres of life. Trade or mutual interests alone will not render affections vital, but vital affections will render mutual benefits ample.

With kindest regards,

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Sheikh Mohammed Abdullah
Prime Minister of Jammu & Kashmir
Srinagar

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Mussoorie
5 May 1948

My dear Jawaharlal,

It was only the other day when I received an invitation from Sheikh Sahib that I came to know of the celebrations that are going to be held in Srinagar from the 7th to 12th of this month. Had I come to know of it earlier, I would certainly have expressed my view that these celebrations would be inappropriate, at least on the scale on which they are planned, in present circumstances when we are still defending the freedom and integrity of Jammu & Kashmir State and are losing lives almost every day in that effort. It is now too late to put off the celebrations, but even then I would urge upon you to exercise your influence to ensure that the celebrations are pitched in as sober a key as possible. We should particularly take care that there is as little triumphant spirit about these celebrations as possible. From this point of view, I feel that it is particularly inappropriate that there should be any salutes of guns at all during these celebrations. Those guns would sound hollow, for only less than a hundred miles away our men are losing their lives in order to protect the Valley where the celebrations would be held. I hope you will be able to do something about it.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Pandit Jawaharlal Nehru
New Delhi

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New Delhi
6 May 1948

My dear Vallabhbhai,

I have your letter of 5 May about the Kashmir celebrations. I entirely agree with you. When I decided to go to Kashmir I had no idea of these celebrations except that I had vaguely heard of some celebrations, chiefly to attract visitors. I was rather taken aback when I saw the programme. Lady Mountbatten was also due to go with me, but Mountbatten did not like the idea of her associating herself with political functions and so she has dropped out.

When Sheikh Abdullah was here a few days ago, I spoke to him somewhat on the lines of your letter and more particularly said that there should be no gun firing. I am now sending him a telegram, a copy of which I enclose. I am afraid, however, that there is bound to be some kind of a tamasha,[1] for the Kashmiris love this kind of thing.

Yours,
Jawaharlal

The Hon'ble Sardar Vallabhbhai Patel
Mussoorie

ENCLOSURE

TELEGRAM

New Delhi
7 May 1948

Sheikh Abdullah
Prime Minister
Srinagar

EXPECT REACH SRINAGAR 9 MAY AT 9 MORNING. MAHARAJA HAS INVITED ME TO LUNCH AT SRINAGAR ON 9TH. I WOULD LIKE TO ACCEPT THIS INVITATION. IF YOU AGREE KINDLY ARRANGE ACCORDINGLY AND INFORM MAHARAJA.

1 Festivities (Nehru used this term in derogatory sense)

SARDAR PATEL AND I HAVE CAREFULLY CONSIDERED PROGRAMME OF YOUR CELEBRATIONS. WE FEEL THAT IN VIEW OF STRUGGLE GOING ON AND GENERAL SCARCITY AND POVERTY IT WOULD BE INAPPROPRIATE TO HAVE TOO MUCH OF A TAMASHA. I TRUST THEREFORE THAT YOU WILL TONE DOWN THIS ASPECT OF CELEBRATIONS WHICH MIGHT NOT BE IN TUNE WITH PRESENT CONDITIONS AND MIGHT NOT BE WELCOMED BY MANY PERSONS. GENERALLY SPEAKING FUNCTIONS MIGHT BE FEW. IN PARTICULAR FIRING OF GUNS SHOULD BE GIVEN UP.

JAWAHARLAL NEHRU

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New Delhi
12 May 1948

My dear Vallabhbhai,

I returned from Kashmir today after a very tiring but stimulating visit. On the whole the celebrations there were successful and impressive. There can be no doubt that Sheikh Abdullah's popularity in Srinagar and the Valley is very great. I paid a visit to our Uri front also and found our soldiers full of spirit and in great mettle. The general situation, both political and military, appeared to me on the whole satisfactory, though the machine moves more slowly than I would like. We may have some substantial results by the end of the month.

On the political side there is a great deal of confusion. Obviously the most efficient person is Bakshi Ghulam Mohammad, who gets things done, though in doing this he does not always follow rules and regulations. A great deal of stress has been paid to what might be called psychological preparation of the people. This is of course very necessary and the effort has succeeded in the Valley at least. But the administrative side is probably weak though I had no occasion to examine it or go into it in any way. The strain on the administration because of lack of funds is very great and the refugee problem is a great drain. Indeed, the Government is at its wit's end how to meet the expenses on the refugees. Sardar Budh Singh, a very fine and upright man, is the Relief Minister and he was almost in tears when he spoke to me of his difficulties.

The transport problem is also a very great difficulty. Transport is practically monopolised for military purposes. I passed hundreds of lorries on the Jammu-Banihal road carrying military equipment and supplies. Civil transport suffers accordingly

both to send salt and other necessaries and to take away Kashmir products which are accumulating there.

There continues to be an undercurrent of tension between the Maharaja and Sheikh Abdullah. There was no incident while I was there and Sheikh Abdullah was courteous throughout to the Maharaja, who participated in some of the functions. But the fact remains that there is this tension. The Maharaja means well but cannot easily get out of the habits of a lifetime. His reluctance to meet people helps in creating misunderstandings. I do not think he will deliberately do anything to create trouble. The difficulty is that he is frightfully unpopular not only with the common people but with almost everyone he meets, including foreigners. I have advised Sheikh Abdullah to treat him with all tact and courtesy.

You must have seen Ghulam Abbas'[1] statement which indicates that Azad Kashmir is in a pretty bad way. All our own accounts confirm this.

Yours sincerely,
Jawaharlal

The Hon'ble Sardar Vallabhbhai Patel
Mussoorie

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Srinagar
16 May 1948

My dear Sardar Patelji,

Her Highness and I had come to Srinagar in connection with the celebrations here and Panditji's visit. Panditji's visit went off quite well except that on the first day it rained very heavily and the programme arranged was disturbed.

I wrote to you a letter from Jammu but have not had any reply yet. Col. Baldev Singh, my Dewan [adviser], as you are aware, has applied for leave and wants to be relieved at once. From his conversation it appears that he really wants to retire as soon as there is some one to relieve him. I have already requested you to suggest the names of persons from whom I could select some one as Dewan. I shall be most grateful if you could kindly find me one or two persons of outstanding ability. I am sorry to

1 Leader of Muslim Conference, migrated to Pakistan and joined Azad Kashmir movement

trouble you again but I feel that you alone can help me in this matter. An early reply to my address at Jammu will greatly oblige.

I hope you are steadily improving your health by your stay in Mussoorie.

With kindest regards from Her Highness and myself,

Yours sincerely,
Hari Singh

Sardar Vallabhbhai Patel
New Delhi

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New Delhi
20 May 1948

My dear Vallabhbhai,

Your letter. I have seen the Pakistan pamphlets to which you refer. As soon as I saw them we put an officer on special duty to deal with them. But it would be desirable to have a small organisation as you suggest. Ultimately the writing work has to be done by one man, though it may be checked by others.

Yours sincerely,
Jawaharlal

The Hon'ble Sardar Vallabhbhai Patel
Mussoorie

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EXTRACT FROM A LETTER OF JAWAHARLAL TO VALLABHBHAI IN DEHRA DUN DATED 30 MAY 1948

The military situation, except for Ladakh, appears to be progressing fairly satisfactorily. I hope that within a week we might capture Domel and Muzaffarabad. That will be a major gain and it may be followed by our advance to Kohala. In Ladakh we have for the moment lost ground and the raiders are on the doorsteps of Leh [capital of Ladakh province]. This has no great military significance, and we can recapture all the lost ground. But it is irritating that on the map a huge province may be shown as under the enemy. This province of course is

very sparsely inhabited. Another unfortunate feature may be the loot of Leh, for Leh is a big and fairly rich centre. We have taken steps to send troops by two routes. I fear however that it will take us a month to clear Ladakh of the enemy. The State troops in Ladakh and Skardu had behaved in a most cowardly and disgraceful manner. They had not only run away at the slightest provocation, but have handed over our weapons and ammunition to the enemy. Indeed, without this ammunition the enemy could hardly have functioned for long.

The Security Council Commission may reach India about the end of June. It may also be delayed longer.

I am worried about the internal political situation in Kashmir. Owing to lack of supplies and trade and continuous radio and other propaganda from Pakistan, the moral of the civil population is rather low. Pakistan's radio from Murree carries on vicious and intensive propaganda and there is nothing to meet it on our side. I regret to say that many of the older generation of Kashmir Pandits are not behaving well. They are grousing all the time and talking almost as if they were agents of Pakistan. They seem to have convinced themselves that ultimately Pakistan will come in. If so, then why fight Pakistan? All this is largely due to our lack of propaganda approach.

It is urgently necessary that we should install a good transmitter in Srinagar with technical personnel. Further that the broadcasts both from Srinagar and Jammu should be carefully planned so as to appeal to the people and strengthen the present Government. Other steps indicated by Azim Hussain in his report on Kashmir are also needed. Some of them should be given effect to immediately.

I feel that it is very necessary to have a real first-class man to represent us in Kashmir. No person other than a first-class man with knowledge of Kashmir and of both the Maharaja and Sheikh Abdullah can fit in. I cannot think of a suitable person and on no account would I send a second-rater. Gopalaswami Ayyangar is obviously the right person. But we cannot spare him for this purpose and I do not think he would care to go. But at any rate he might go there for a week or so and try to help in straightening out matters. I am suggesting this to him. If you could also make this suggestion, perhaps he might agree.

The Maharaja continues to remain in Jammu. This is very unfortunate. It creates a bad impression on the people and it comes in the way of consultation between him and Abdullah's

Government. Urgent decisions have to be taken and these have to be delayed because the Maharaja cannot be reached, or they are taken without consulting the Maharaja and then a complaint follows. Even the long-distance telephone does not help, as the Maharaja says that he cannot use it properly. I feel that the Maharaja should be pressed to go to Srinagar, which is the centre both of military operations and the Government. I suggest that you might write to the Maharaja to shift to Srinagar.

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EXTRACT FROM A LETTER DATED DEHRA DUN 4 JUNE 1948 FROM SARDAR PATEL TO JAWAHARLAL NEHRU IN NEW DELHI

3. As regards Kashmir, I must confess I am not happy about the military position at all. We do not seem to make much headway in spite of pouring men and material. Like Oliver Twist, the military commanders always ask for more and their estimates of requirements are constantly changing. What held good in December 1947 changed only four/five weeks later when I went there in the middle of January. What held good then was probably changed two months later. At last the offensive was taken, but we do not seem to have achieved as much and as soon as we expected. Now comes the threat to Leh and the capture of Kargil and Dras; both I believe are strategic points.

4. You speak of the desertion of the State troops in Ladakh and Skardu. This is not surprising as it is in keeping with the traditions of the State troops since the struggle commenced.

5. As regards the internal situation in Kashmir, you have rightly laid stress on the utility of propaganda and the attitude of Kashmiri Pandits. The latter makes me particularly distressed. If these people have lost faith in the efficacy of our arms or the ability of the local administration to survive, what must be the attitude of less sophisticated persons in the villages. Unfortunately nothing much in the matter of internal propaganda could be done by us as the Jammu and Kashmir Government were in sole charge of the propaganda media. They issued pamphlets and used both the radio and the platform. I did not think it fit to intervene though I was feeling very dubious about the ability of the administration to do any effective propaganda. I felt that the agency of Sheikh Sahib and his Conference[1] would be

[1] National Conference of which Sheikh Abdullah was President

the best medium and that he knew best how, when and where to approach his men. I have now asked [P.C.] Chaudhuri [Director-General, AIR], with whom I discussed this question yesterday when he came for his weekly interview, to convene a conference of the Ministries concerned, so that they can consider suggestions made by Azim Hussain in his report. I have asked for their recommendations at a very early date, so that we can devise a suitable scheme for the purpose. I hope I shall get it some time next week.

6. I entirely agree with you that we should have a real first-class man to act as a sort of bridge between His Highness and Sheikh Sahib. In fact, this problem of differences and tension between the two has been worrying me very much. I have written several letters to Sheikh Sahib about easing this tension and improving relations, but I regret to say that I have had no reply. From all accounts it appears that the arrangements regarding reserved and non-reserved subjects to which Sheikh Sahib had agreed in March last are now being treated as a nullity and that the presence of the Maharaja and the existence of the reserved subjects are both being ignored. Even the Private Department of the Maharaja is being interfered with and action is being taken which, while it might bring back a few stragglers, would alienate the sympathies of non-Muslims who, whatever reasons there may be, still seem to regard the Maharaja as a symbol of their safety. I have impressed upon Sheikh Sahib as well as Bakshi the necessity of maintaining the prestige, the rights and privileges of the Maharaja, but the manner in which the questions of his privy purse, jagirdars and commandeering of office accommodation of his Private Department have been dealt with has left on my mind a most painful impression. Then there is the question of the Jammu & Kashmir Army. I am inclining to think that it would be by far the best arrangement to let the State Forces remain an autonomous unit, so that if and when any question of withdrawal of these Indian forces comes about, this autonomous existence would enable us to maintain friendly forces on the spot. If, however, we merge their identity with the Indian Dominion forces, even though it might continue as a separate wing, we run the risk of their being treated more or less as Dominion-trained forces and, therefore, deserving of being sent in order to ensure a free and impartial plebiscite. It is partly for this and other reasons that Sheikh Sahib wishes to keep the identity of his Home Guards separate, but somehow or the other he does not seem to see the validity of those very points when the question of the Army is raised.

7. I fully recognise the essential difference between the two, one is under popular control and the other is still under the exclusive control of the Maharaja, but I would be prepared to use my influence on the Maharaja to agree to consult his Ministry or if Sheikh Sahib would prefer it, an individual Minister, Bakshi Ghulam Mohammad, in all important matters concerning the Army and while I should not ask the Maharaja to commit himself to it in writing I think I would be able to persuade him generally to agree to accept the advice tendered unless in any particular case there is a serious difference of opinion, when matters could be referred to me for final decision.

8. On the whole, I feel it would be best if discussions could be held in Srinagar or Jammu itself and we could bridge the difference between the Maharaja and Sheikh Sahib. For this purpose, I suggest that both Gopalaswami and Menon might visit Srinagar or/and Jammu and try to effect a settlement on the various outstanding matters. It might interest you to know that we sent a Draft Rules of Business which had been accepted by the Maharaja some time in April, but despite reminders we have not yet had Sheikh Sahib's reactions on them. I am writing to Gopalaswami to ask him to go there and help in straightening matters.

9. As regards the Maharaja remaining in Jammu, I entirely agree with you that he should frequently visit Srinagar. It would not be possible for him to spend all his time in Srinagar, because Jammu is equally important from the point of view of military operations. Shankar has already written to the Maharaja suggesting that he might stay for a fortnight in Jammu and for a fortnight in Srinagar. I hope the Maharaja will heed this advice. If this fails, I shall of course be writing to him personally.

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Dehra Dun
1 June 1948

My dear Maharaja Sahib,

Lt. Kamal Singh [A.D.C. to the Maharaja] came and saw me today. I have gone through the papers and told him the changes which I thought were necessary.

I am afraid Your Highness and Her Highness must have given me up for lost. I have not been able to write to Your Highness, nor has Sardar been able to reply to any of your letters, but

I can assure you that neither he nor I have ever been unmindful of the difficult situation in which both of you must be finding yourselves. In fact, even from this distance, we have been trying our best to find a very early solution of those difficulties. Unfortunately, however, we are up against almost a complete silence from the other side. I should have written to Your Highness long ago, but for the fact that Sardar's illness and the pressure of work have kept me completely tied down to my duties here. I had thought of coming to Your Highnes some time, but for the same reasons, it was impossible for me to do so.

Regarding your letters, I should like to explain the position as follows:

(a) Rules of Business: These were sent to Sheikh Sahib long ago. Actually, they were taken by Bakshi Sahib, as I told Your Highness. But up to date, in spite of reminders, one or two from Sardar himself, there has been no reply. I understand from V. P. Menon, however, that he is also pressing for a reply. As soon as we get it, we can go ahead. You will be interested to know that the Rules of Business have evoked support from quarters from which Your Highness would least expect it.

Apart from this, in two or three letters, Sardar has reiterated the position that was settled in the correspondence between Your Highness and himself, and in so far as we are concerned, there can hardly be any possibility of going back upon those arrangements.

(b) Jagirs: Regarding jagirs, Sardar wrote to Panditji and the latter had taken up the matter with Sheikh Sahib. Perhaps he is also not getting any reply. That is why things are in a stalemate. I shall take an early occasion of reminding him.

(c) Private Estates, etc.: Your Highness had raised matters regarding private estates, etc. On that question also, Sardar has written to Sheikh, but has yet had no reply.

(d) Privy Purse: Regarding privy purse, Sheikh Sahib has written to Sardar, who has sent an interim reply pointing out that the procedure followed by him was wrong and that it was not proper for him to have anticipated Your Highness' approval. There are certain matters out of this question of privy purse, in which I should have liked to have made personal enquiries of you. Ultimately, it is quite clear that we shall have to intervene in this issue, because after all the balance of money is being paid by us and we can easily direct what sum should be paid to Your Highness. There is, however, this difficulty, that we

shall have to reduce the expenditure to the essential needs in the manner in which I have made the amendment in the papers you sent to me. What those essential needs are would require personal discussion. Unfortunately, I cannot come away and am completely tied down to this place. V. P. Menon told me that he would be going to Jammu and Srinagar shortly in order to settle these and other matters. It is possible Shri Gopalaswami [Ayyangar] may also go in an effort to improve matters.

(e) ARMY: Sheikh Sahib has sent a memorandum on which no action has been taken so far, because Sardar has yet to consider it. It is quite possible, however, that this point may be raised during the visit of Shri Gopalaswami Ayyangar and Menon. I know full well that, out of sheer kindness and consideration for me, Your Highness woud like me to be there and I myself would wish to be present, but I am sure Your Highness will appreciate the difficulty of my coming away from Dehra Dun. Even then, I shall cautiously mention it to Sardar and see if he can let me go.

There is one matter on which I have expressed myself at length to your Assistant Private Secretary, and that is about Your Highness' going to Srinagar. I feel that that is essential. Your stay in Jammu is bound to give rise to difficulties and all sorts of conjectures and surmises. It is also likely to give a handle to the Ministry to ignore you even where consultation was enjoined in accordance with the constitutional arrangements. If you are on the spot, no such excuse would be open to them. At Srinagar, you would be in touch with the military authorities there as well. Actually, you could easily make out a case for a fortnight's stay at Srinagar and another fortnight's in Jammu in a month on the ground that both places are equally important from the point of view of military operations. I hope it will be possible for Your Highness to accept my advice.

We are sending a Special Correspondent of All India Radio to cover Jammu & Kashmir. His name is Mr. K. L. Sharma, whom I called here this morning to give instructions. I have told him to see Your Highness at Jammu on his way to Srinagar. I hope Your Highness will find it possible to meet him for a short while. During his stay in your State, he will be contacting Your Highness on occasions. He will be visiting Jammu, though he would be stationed at Srinagar. If Your Highness would wish anything of interest to be broadcast about the activities of Your Highness or Her Highness, he would do the needful. As soon as a telephone is installed at Srinagar, he would get in touch with Your Highness' ADC whenever necessary.

Lastly about the Dewan. We are very sorry indeed that we have not been able to make much progress. Unfortunately, men of the type who would be suitable as Dewan for Your Highness are few and far between. In the present manpower shortage, they are all holding key jobs here and no Ministry is prepared to spare any of them. However, V. P. Menon has been able to get two or three good men whom he would want me to interview. I am waiting for them to come to Dehra Dun, and as soon as they do come and if I find them satisfactory, I shall send whoever is suitable on to Your Highness.

I hope Your Highness and Her Highness would believe me when I say that both of you are constantly in our thoughts and that we shall do our best to lighten your burden. There are certain compulsions out of which we cannot extricate ourselves. These Gordian knots cannot be cut at one stroke, they have to be smilingly unravelled. We have to tread cautiously. For the time being, we may have to suffer much. Whatever firmness or definiteness is required is being adopted by us; it is possible matters may prolong for a bit, but I have no doubt that sooner or later we shall find a satisfactory solution.

I hope the Yuvraj is making very satisfactory progress.

With kindest regards to Her Highness and yourself,

Yours sincerely,
V. Shankar

His Highness Maharajadhiraj
Sir Hari Singh
Jammu

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The Palace
Jammu-Tawi
10 June 1948

My dear V. Shankar,

Thanks very much for your letter of 1 June.

I am pleased to know that the Rules of Business have evoked support from quarters we least expected, but I am sorry to say they are not being followed yet. I do wish that these rules are agreed to and acted upon without further delay.

I have noted what you have said in regard to jagirs and private buildings.

With regard to the privy purse, it was good of Sardar to have pointed out to Sh. Abdullah that the procedure adopted by him was wrong, but I did not know whether Sh. Abdullah has admitted his mistake or not. In any case no amendments have so far been made in this behalf. I do hope Sardarji's intervention will rectify the wrong done by the Ministry and restore my prestige which has been affected by their indiscreet act.

Regarding the State Army I might mention again that in no case am I prepared to part with the administrative control. I have given sufficient reasons for the stand I am taking in the matter. The Army is a reserved subject and the position in regard to the reserved subjects has already been clarified.

I realise that it is necessary for me to go to Srinagar in order to be available to my Cabinet for consultations and advice. But so far, as you are aware, I have been completely ignored even in most important matters. I don't see what guarantee there is in future that I will not be similarly ignored. Anyway I have decided to stay at Srinagar and Jammu alternately as both the places are important from the point of view of military operations and Her Highness' activities.

It is nice of you to send Mr. Sharma with instructions that he should see me. I shall be glad to see him when he calls and will utilise his services whenever considered necessary.

I have told both Sardarji and you that work is badly suffering in the absence of a competent man as Dewan. The present Dewan is unwell and I think realises that he is not suited to this post.

In these circumstances may I ask you again to please remind Sardarji to very kindly suggest some names as early as possible so that I may select one of them as my Dewan? Please treat it as most urgent and do your best in the matter.

I have been hearing from the Yuvraj regularly, and I am glad to say he is making satisfactory progress. It is very kind of you to make enquiries about him.

Her Highness and I are grateful to you for your good wishes which we heartily reciprocate.

Please remember us to Sardarji and Miss Maniben. We hope Sardarji is greatly improving in health.

Yours sincerely,
Hari Singh

Shri V. Shankar
New Delhi

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Dehra Dun
4 June 1948

My dear Gopalaswami,

We have not met since you left for the UNO, and after your return I was told that you would some day run up to Mussoorie. But you were all very busy, and hence we had no opportunity to meet.

2. I have followed the Kashmir proceedings of the UNO, with considerable surprise and pain. I thought things were straightened before you left, but it seems we are almost where we were before you left. It is difficult to follow British diplomacy in this affair. However, for good or evil, we are in it and we must do our best.

3. The military position is none too good, and I am afraid our military resources are strained to the uttermost. How long we are to carry on this unfortunate affair, it is difficult to foresee.

4. On the civil side, the relations between the Maharaja and Sheikh Abdullah have not improved in spite of several efforts on my part. Perhaps [V.P.] Menon will be able to acquaint you with all that has happened during your absence. The Maharaja has been asking for an adviser, and we must find out a good man for him, who could carry the confidence of both and could be able to ease the situation. In the meanwhile, it would be desirable if you and Menon would go there for a couple of days and try to bring about agreement between the two. It is difficult to deal with this situation by correspondence. I had a mind to talk to you about this, but as you could not come, I am writing this now to you, as it is not possible to continue the present state of tension without serious detriment to the Kashmir cause.

Hope you are doing well.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Mr. N. Gopalaswami Ayyangar
New Delhi

CHAPTER XIII

PAKISTAN ARMY IN KASHMIR

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EXTRACT

5 June 1948

My dear Vallabhbhai,

I have pressed Gopalaswami Ayyangar to go to Jammu and Srinagar for two or three days and he has at last agreed to do so. He will go on the 8th first to Jammu. While it is true that Sheikh Abdullah is not always tactful and sometimes says and does things which he should not, my last visit to Kashmir convinced me that he was trying hard to meet the Maharaja more than half way. He has to deal with a very difficult situation, the essence of which is to gain popular goodwill. Whatever happens, the ultimate decision in Kashmir will be greatly influenced by this popular feeling. If the present Kashmir Government cannot succeed in this then it fails utterly. The Maharaja is completely oblivious of this aspect or the international implications of the Kashmir issue. He behaves in a manner which is completely inexplicable to me and which irritates the people. There is at present a vitally urgent problem of arranging for the destitute refugees in Jammu—40,000 or more. Cholera has begun and typhoid is feared. Our Relief and Health Ministry people visited Jammu and came to the conclusion that the Maharaja's stud farm was ideally suited for a relief camp. The horses there could easily be put somewhere else or sent to Srinagar for a few months. The Maharaja refused to permit this even though Amrit Kaur and Lady Mountbatten begged him for it. Meanwhile children are dying in Jammu streets. You can imagine the public reaction to this.

Again about certain barracks in Srinagar. They were empty and were urgently wanted for our troops. The Maharaja would not agree. He is unapproachable and cannot be reached even by telephone. Meanwhile, urgent situations develop which must be handled with rapidity. What is to be done then?

Jammu has ceased to have any great importance from the military point of view. Srinagar is the nerve centre for all

activities, civil or military. It is essential for the Maharaja to be there and to remain in constant touch with his Government. Otherwise work suffers and things are hung up, and inevitably he is ignored where urgency demands it. The effect on the public of his remaining away from Srinagar is also very bad.

About the army (State) I fear it can never improve if the Maharaja has anything to do with it. It is in a hopeless mess. I wrote to you about the disgraceful behaviour of the State troops in Ladakh etc. There are Hindu Dogra troops. They, or their officers, have lost all morale and discipline and any further association with the Maharaja will worsen the position. If any effective State army is to be built up, as it must be, it must be by our officers and men. The matter is too serious for it to be left to the discretion of the Maharaja. We are playing for high stakes and we dare not take risks. This is the opinion of our army men also.

I cannot write more now as I have to go.

I hope you are progressing well.

V. P. Menon will accompany Gopalaswami to Jammu and Srinagar, unless the wretched Hyderabad affair[1] comes in the way.

Yours affectionately,
Jawaharlal

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New Delhi
5 June 1948

My dear Sardar Sahib,

I am so grateful to you for your letter of the 4th.

2. Nothing has caused me greater disappointment than my inability to proceed to where you are, spend a little time with you and talk over many matters. I programmed a visit to Mussoorie more than twice since my return from New York, but at the last moment something or other stood in the way and I was obliged to postpone it. I cannot find time to get away to-morrow and go over and see you at Dehra Dun, but I trust I shall be able to do so the following week-end.

3. The ways of the Security Council have been extraordinary and in dealing with the Kashmir question it has behaved in a

[1]Nizam's stubborn opposition to accession to Indian Dominion and insistence on some form of independent status

manner which has surprised even a person like me with three months' day-to-day contact and experience with its members. Its last resolution giving the Commission the discretion to make enquiries about Junagadh, genocide and implementation of inter-Dominion agreements is a dishonest surrender to Pakistan intrigue.

4. As you say, we have entangled ourselves with a set of persons who will not see things straight and we have to do our best under the circumstances in which we find ourselves today. We are today informing the Secuirty Council that in view of our previous clear indications to it, its Commission cannot, on arrival here, proceed to take steps to implement the tasks cast upon it by a resolution which we have declined to accept in essentials. But we have only intimated our willingness to confer with it if it comes over in spite of our objections. We are asking it further to let us know in advance the point or points on which it proposes to confer with us. The Council apparently wants to push its Commission out, to plant it in India and slowly to hustle us into agreeing to all things recommended in its resolution. I am not sure even the telegram we are sending today will have the intended effect of making it hesitate to carry out the programme of the Commission coming out to this country.

5. Since returning from New York and especially after my visit to Srinagar during the freedom celebrations, I have not been feeling too happy about the internal affairs of the State. I have had more than one talk with V.P.[Menon] about Kashmir. There are a number of matters to be straightened out and I shall be only too glad to carry out your wishes. I am arranging to proceed to Jammu and Srinagar on the 8th and am asking V. P. to accompany me. I hope his Hyderabad pre-occupations will permit of his doing so. We shall jointly try to do our best and hope that at the end of our visit things there would look more satisfactory than they do now.

6. I am daily getting myself posted with the state of your health and am glad to learn that it has much improved. I trust this improvement will be even more rapid in the future than in the past and that you will be able to resume your normal activities here to the full at the earliest possible date.

With kindest regards,

Yours very sincerely,
Gopalaswamy

The Hon'ble Sardar Vallabhbhai Patel
Dehra Dun (U.P.)

New Delhi
6 June 1948

My dear Vallabhbhai,

Our experience in Kashmir has shown us that it is easier to begin military operations than to end them. I think on the whole our army in Kashmir, officers and men, have not done badly. I have gone fairly deeply into this question and balanced the enormous difficulties they have had to face. They have erred and made mistakes, they have also shown sometimes an unnecessary caution. Nevertheless on the whole they have done well. I do not think most people realise the tremendous difficulties of the undertaking. At the present moment there is little doubt that the Pakistan army, or a part of it, is functioning against us in Kashmir territory. They have a tremendous geographical advantage over us. Kashmir is a very big area and possesses most difficult terrain from the point of view of military operations. Also the climate in winter is a very hard one and large areas like the Ladakh Valley are completely unapproachable in winter. The first lesson that a military commander is taught is that of concentration. Nothing is more dangerous in war than a dispersal of forces. This concentration leads to large areas being left unguarded, unless the forces we use are tremendous in numbers. Even so it is practically impossible to guard every mountain valley or cave. We fight to win and to break the enemy. They fight to harass and annoy and cause us injury. The latter method does not need concentration. In any event we have to think of our army as it is and not as it might be. We have, in technical matters, to take advantage of our military experts. Our policy, specially when it involves military operations or the possibility of them, cannot ignore the hard facts of the situation, as judged by the military experts. I have little doubt that our officers are exceedingly anxious to produce results in Kashmir. Their own reputation depends upon that. We cannot bring them about by expressing our dissatisfaction of the army, which can only do what it is capable of doing and no more. The fight that is going on near Domel-Muzaffarabad is of great

significance and that is the reason why Pakistan has thrown its forces and some armour into it. Our victory there will no doubt make a great difference to our campaign. Because of this Pakistan will try its utmost to prevent that victory.

I have written to you about Kashmir already. I found there that quite a good effort in the shape of propaganda has been made by the Kashmir Government. They have published attractive pamphlets and have very effective popular plays about the struggle which are performed in large numbers of urban and rural areas. Their difficulty is lack of paper and lack of broadcasting equipment. Pakistan radio repeats the most infernal lies by leaflets etc. The only way to check it is to have our own broadcasting. Therefore the urgency of this.

Propaganda in Kashmir must obviously take into consideration the psychology of the Kashmir people, both Muslim and non-Muslim. It must be largely addressed to large masses of people who can make a difference this way or that way. I am told that Kashmiri broadcasting from A.I.R. is rather colourless and does not appeal to the listeners in Kashmir. It seems necessary to associate a competent Kashmiri to give the background to our broadcasts.

My study of the Kashmir situation has led me to believe that the Maharaja cannot play. He just does not know how to. When there is an obvious possibility of his losing everything he still wants to hold on to relatively simple things, not realising that this has a bad effect both internally among the people as well as on external observers. His mere absence from Srinagar is bitterly resented because everybody of any consequence functions from Srinagar now. Even the military situation requires this.

This leads me to the State Forces which have become not only not helpful but a tremendous nuisance. By their passivity and sheer funk, they have done injury to our cause. The only way to pull them up is for the Indian Army to take complete control over these forces. This of course will not mean that the State army will lose its identity or will become absorbed in the Indian Army. The State army will be kept distinct and will certainly stay on in Kashmir even when our troops decide to withdraw. Our own officers feel this strongly and they cannot make full use of existing State troops in present circumstances. It has thus become an urgent necessity, from the point of view of military operations as well as the possibility of a plebiscite, that quick action be taken in such matters. It is equally important that the

Maharaja should live in Srinagar for the greater part of the summer months, as Srinagar is the place now where important decisions have to be taken both by civil authorities and our military commanders. Unless he lives in Srinagar he cannot keep in touch. From some other points of view too it is not desirable for him to live long in Jammu during summer. This would be entirely opposed to the old policy when the Maharaja spent the whole summer in Srinagar.

Yours,
Jawaharlal

The Hon'ble Sardar Vallabhbhai Patel
Dehra Dun

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Dehra Dun
30 June 1948

My dear Jawaharlal,

I have seen the telegraphic correspondence between you and Liaquat Ali Khan about the participation of Pakistan units in Kashmir. It is quite clear that whatever we might do the Pakistan Prime Minister will not make a reply to the charges which we have made. He is now hanging on to your reference to Zaffrullah in order that he may get an excuse for not replying to the specific allegations. I feel it is now profitless to pursue the correspondence which has now degenerated into personal charges against each other.

Yours sincerely,
Vallabhbhai Patel

Pandit Jawaharlal Nehru
New Delhi

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New Delhi
9 July 1948

My dear Bakshi Sahib,

Some time ago, I sent to you a cheque of Rs. 50,000 for refugee relief [to be handed to] Maharani Saheba. I now understand that the amount which I sent to Her Highness has been taken over by you. I am rather surprised at this, and would

be glad to know if the amount has since been returned by you to Her Highness.

Yours sincerely,
Vallabhbhai Patel

Bakshi Ghulam Mohammad Esq.
Deputy Prime Minister
Govt. of Jammu & Kashmir
Srinagar

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Srinagar
12 July 1948

My dear Sardar Sahib,

Thank you for your letter dated 9 July 1948.

I was surprised to learn that it has been reported to you that the amount sent by you to Her Highness the Maharani Saheba for refugee relief work was taken over by me. This amount was sent by you direct to the Maharani Saheba and I have no knowledge [whatsoever] about its receipt or disbursement.

Of course a cheque for a sum of Rs. 50,000 which was handed over to me was sent by me to the Relief and Rehabilitation Department, Jammu & Kashmir State.

Yours sincerely,
Bakshi Ghulam Mohammad

Sardar Vallabhbhai Patel
Hon'ble the Deputy Prime Minister
India

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New Delhi
17 July 1948

My dear Bakshi Sahib,

Thank you for your letter dated 12 July 1948.

Shankar will be going to Kashmir some time next week and I have asked him to discuss this matter with you.

With kindest regards.

Yours sincerely,
Vallabhbhai Patel

Bakshi Ghulam Mohammad
Srinagar

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14-E Ferozeshah Road
New Delhi
17 July 1948

My dear respected Sardar Sahib,

Last time when I saw you at Dehra Dun in connection with my brother, Pandit Ramchandra Kak,[1] ex-Premier, Kashmir, you were pleased to express that you will look into the matter personally with a view to secure justice and fair treatment. You were kind to me in listening to me. I do hope that you have been able to look into the matter and to take such action as would secure justice and fairplay.

I am most reluctant in writing to you and troubling you once again, but as my aged and ailing father as well as my sister-in-law in Kashmir are suffering a great deal because both my brothers, Pandit Ramchandra Kak and Pandit Amarnath Kak, advocate, are put in prison and there is nobody to look after them in this condition. I feel compelled to remind you of your kind assurance to me at Dehra Dun to help me relieve my parents and family from suffering.

I am bringing this note to deliver to you personally if I am not fortunate enough to get a personal interview immediately.

I trust and pray that your health is daily improved.

With respects,

Yours obediently,
P. N. Kak

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New Delhi
27 July 1948

Dear Sir,

I beg to request you kindly to request Hon'ble Sardar Vallabhbhai Patel to grant me an interview at his earliest convenience and oblige. My purpose to see him is in connection with

1 Ramchandra Kak and Amarnath Kak were charged with corruption and held in prison pending trial by the popular Government headed by Sheikh Abdullah

my brother, Pandit Ramchandra Kak, ex-Premier, Kashmir, and make certain submission to him on his behalf. I have today before him a certain matter which is absolutely necessary for me to submit to him.

I may further mention that both of my brothers, Pandit Ramchandra Kak and Amarnath Kak, advocate, and whole of our family are put to great suffering directly and indirectly by organised persecution and harassment and we are in great distress. This also compels me to take the liberty of approaching you to request Hon'ble Sardar Patel to grant me an opportunity of seeing him at his earliest convenience.

I do realise that Hon'ble Sardar Patel is extremely busy but I trust that among his manifold preoccupations he will very kindly favour us by sparing a few moments for us.

Thanking you for your kindness and courtesy,

Yours faithfully,
P. N. Kak

The Private Secretary to
Hon'ble the Deputy Prime Minister of India
New Delhi

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New Delhi
28 July 1948

Dear Mr. P. N. Kak,

Thank you for your letter of 27 April 1948, which I have placed before Sardar Patel.

He is very sorry he cannot be of any further assistance to you. He has done all he could, and no useful purpose will, therefore, be served by your seeing him, particularly in the present state of his health.

Yours sincerely,
V. Shankar

P. N. Kak
14-E, Ferozeshah Road
New Delhi

New Delhi
30 July 1948

Dear Mr. Shankar,

Thank you very much for your letter dated 28 July 1948. I am very thankful to Hon'ble Sardar Vallabhbhai Patel for the sympathy he has for my brother, Pandit Ramchandra Kak, and the trouble he has so kindly taken in helping us to come out of the distress we have fallen in. I am very sorry that he is not keeping well. I always pray for his good health and long life.

The main purpose for which I had sought an interview in my letter dated 27 July 1948 (which may have been wrongly dated as 27 April through an oversight) was to hand over a sealed cover personally to him as per my brother's instruction to me.

Through his defence counsel, my brother had sent to me a sealed cover, containing a statement which he would wish to make in his defence, detailing the background and the reasons of the flimsy and false charges made out against him and the persecution he and the rest of his family have been subjected to. He has directed me to hand over the sealed envelope to Hon'ble Sardar Patel and request him on his behalf whether (a) he should give the statement or not and (b) if there is no objection in giving it, whether he should give it as it is, or amend it in some vital particulars.

Hon'ble Sardar Patel is no doubt aware that the charges framed against Mr. Kak, under Section 409 I.P.C., and 161 I.P.C. are flimsy and are utterly lacking in substance. The real intention is to persecute him and his relatives in a malicious manner. The trial is now being hurried through in a very ugly fashion without affording any facilities for proper defence. It is therefore imperative for my brother to have the benefit of such guidance and advice in respect of his proposed statement as requested above, as soon as possible.

I am therefore enclosing the sealed envelope which may very kindly be submitted to Hon'ble Sardar Patel for his kind instructions. I will come to receive his instructions for the guidance of my brother at any time convenient to him which may kindly be intimated to me.

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I am very sorry to bother Hon'ble Sardar Patel, but I am helpless and the only hope we have is in him. We are indeed very grateful to him for all the kindness which he has shown to us. I trust and pray that his health improves daily.

Thanking you once again,

I am,
Yours sincerely,
P. N. Kak

V. Shankar Esq., ICS
New Delhi

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New Delhi
2 August 1948

Dear Mr. Kak,

Thank you for your letter of 30 July 1948. I shall be glad if you will kindly see me tomorrow at 3.00 p.m. at 1 Aurangzeb Road.

Yours sincerely,
V. Shankar

Shri P. N. Kak
New Delhi

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New Delhi
1 August 1948

My dear V. P. Menon,

Please see the attached letter H.M. has received from H.H. of Kashmir. H.M. feels there is a great deal of force in what H.H. says. In any case, we should have been consulted by the Defence Ministry before they decided to hand these men over to the civil authorities in Kashmir. I have reasons to believe that if we do hand these men over there would be considerable discontent in the J & K Army and in our own. The whole case arose out of a report received by Indian Army men at Ramsu that some wandering graziers had Hindu women with them. These men were sent on a mission to recover them and whatever they did was during that mission. At the time, therefore, these men were under the command of Indian Army officers.

H.M. will speak to H.M. Defence (Sardar Baldev Singh) about it. In the meantime, he wants that you should take this matter up officially with the Defence Ministry.

Yours sincerely,
V. Shankar

V. P. Menon Esq.
New Delhi

ENCLOSURE

Srinagar
31 July 1948

My dear Sardar Patelji,

It is possible you have heard of the most unfortunate incident at Verinag[1] in which some of the Jammu & Kashmir and Indian troops are reported to have been involved. The troops, both State and Indian, went out under the orders of the Coy Commander of the 2nd Rajput Regt. as a part of the Indian Army detachment under an Indian Army V.C.O. The State Army authorities have not been informed of the mission on which these troops were sent and presume that it was part of their operational duty.

I understand that after some enquiries the Indian Army authorities have decided that the 11 men of the State Forces who are alleged to be involved, should be handed over to the civil authorities. I am unable to comprehend the reasons underlying this decision of the Judge Advocate of HQ Western Command. I have already signed a warrant some two months ago authorising the Commander JA Div to convene courts martial in my name. Like their fellow Indian Army men, these men could and should have been dealt with by a court martial in the usual way. Any discriminatory treatment is bound to result in bitterness [and affect the] morale of the State troops which, am I sure you will agree, is so essential at the present critical state of our operations.

I would also add that the attitude of the civil authorities on a matter of this kind and in present circumstances is unlikely to be unbiased and I would much rather that the whole matter is dealt with by an Indian Army court martial. If this were done, the persons involved would have confidence in a fair trial and impartial judgment.

I do hope it will be possible for you to do something about it.

Yours sincerely,
Hari Singh

Sardar Vallabhbhai Patel
New Delhi

1 Famous spring in Kashmir frequented by tourists and pilgrims

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Srinagar
6 August 1948

My dear Sardar Patelji,

My Prime Minister[1] and Deputy Prime Minister[2] came to see me on 5 August and had a talk in regard to the administrative control of the State Army.

For your information I am enclosing herewith the gist of the talk which took place between us.

We are leaving for Jammu on Wednesday 11 August, and can come to Delhi from there if and when you require us.

With our kindest regards and best wishes,

Yours sincerely,
Hari Singh

Sardar Vallabhbhai Patel
New Delhi

MAHARAJA HARI SINGH'S SUMMARY OF HIS TALKS ON 5 AUGUST WITH THE PRIME MINISTER AND DEPUTY PRIME MINISTER OF JAMMU AND KASHMIR

Bakshi came on Monday 2 August and suggested that I should get an ADC to telephone and ask Sheikh Sahib to come to see me on the next day. I told him that I was engaged on Tuesday afternoon, and on Wednesday both Her Highness and I were going to Baramulla and Uri for the day. He then suggested between 6 and 6.30 on Thursday the 5th. I told him that I had nothing particular to discuss, so there was no occasion for me to have a telephone message sent, but if Sheikh Sahib wished to see me he could come. Bakshi said that Sheikh Sahib also had nothing particular to discuss. He only wanted me to ask Sheikh Sahib to come to the Palace as he was feeling a bit hurt at not having been asked to dinner on the night Panditji and his party dined at Karan Mahal[3] and if I asked him to see me it would smooth matters.

1 Sheikh Abdullah
2 Bakshi Gulam Mohammad
3 Palace named after Maharaja's son and heir Karan Singh

On Thursday 5 August a telephone message came from D. P. Dhar[1] saying that 6 would be too late for Sheikh Sahib to come, so could he come earlier. A reply was sent asking if 5 would do. A little later D. P. Dhar telephoned again saying that 5 would also be too late as Sheikh Sahib had to offer prayer before opening his Roza [fast] and asked if 4 would suit. A reply was sent in the affirmative.

In spite of this Sheikh Sahib and Bakshi turned up at 5. After about 15 minutes' general conversation I said that I had come to know that Sheikh Sahib was feeling hurt as he had not been asked to dinner on the night Panditji and his party dined here. I explained that the table only took 16 and as Panditji's party (a list of which we had got from Chashmashahi)[2] consisted of 14, there was no room except for Her Highness and myself (all the staff dined later). Moreover it was only an informal and private dinner. There was no intention to ignore either Sheikh Sahib or Bakshi. Bakshi cut in and said that he had been told that the list had come from the Palace and even personal assistants were included. I told him that this was quite wrong, the names had been obtained from Chashmashahi. How could I have made out the list when I did not know the names of the people who had accompanied Panditji? As far as I was concerned I had not even thought of asking Generals Cariappa, Kulwant Singh and Thimayya (whom I had met at Chashmashahi that day) for want of space.

The conversation then switched on to the administrative control of the State Army. Sheikh Sahib (frequently prompted by Bakshi) came out with a full list of the so-called rape, loot and atrocities being systematically committed by the State troops. I said every incident I knew of had been or was being enquired into by the Indian Army authorities under whose operational control the State troops were. In every case found proved and in which punishment had been recommended I accepted the recommendation and directed that the punishment should be executed. Sheikh Sahib then got a bit excited and said that the administrative control must be bad as these atrocities were being systematically committed. Bakshi added he had seen and spoken to the men and junior officers and he did not find any fault with them but according to him something was radically wrong higher up, and instructions seemed to emanate from there. Sheikh Sahib then said that the State Army was a monopoly for Rajputs and added that Kashmiris must have their proper share in the Army. I repeated that the Army never was and would not be the monoploy of Rajputs. I had already issued orders for recruitment of Kashmiris who are found fit for the Army. There is an Indian Army officer in charge of the Militia. He could pick out persons from the Militia he considered suitable and who could be turned into soldiers. There was no objection

1 Member of Abdullah Ministry
2 Name of guest house in Srinagar where Nehru was staying

whatsoever in enlisting them in the State Army and training them. But by pressing a button only one could not be turned into a soldier.

Before I could reply Sheikh Sahib switched on to the so-called massacre of Muslims in Jammu and started hinting that I had a hand in that. Bakshi intervened and tried to bring the conversation back to the State Army. I said that the matter regarding the Army had been referred by Sheikh Sahib to Delhi and I also had expressed my views on the subject. I did not think that the conversation as it was going on would help matters and no decision could be arrived at in this room. Bakshi again cut in and said that this was a domestic matter [and] why shoud the States Ministry be brought into it? Who are they after all? Only outsiders. I replied that the States Ministry dealt with all differences of opinion that arose in the acceding States. Ours was also an acceding State.

Sheikh Sahib then said, "Why should Your Highness not have Bakshi as your Army Minister? He would put the administrative side right in no time. Your Highness can of course remain C-in-C." He added that I should have full confidence in the Ministry. They were loyal to me. Trust begets trust. Before I could reply he started off on the Verinag incident and again started hinting that the Palace had a hand in the murder of Muslims.

At this stage Her Highness could not help countering by saying, "Why talk about loyalty when I understand you said in Delhi that you could not carry on with His Highness and demanded his removal?" Addressing Bakshi, she said, "You have said in connection with the Verinag incident that His Highness, myself, Brig. Bikram Singh and Col. Ranbir Singh were conspiring to have Muslims killed in the Valley also."

After a pause Sheikh Sahib said that as things were he had not only said this in Delhi but had also given it in writing. Bakshi admitted having said what Her Highness had stated, only after Col. Balwant Singh (Admin Com) had told him that he knew definitely that this was so. Her Highness then remarked that she doubted this statement and addressing Bakshi she said, "You can say what you like about us but why drag in the Indian Army officers?" Bakshi said, "But I know Brig. Bikram is persona grata at the palace." Her Highness replied, "You cannot say this as we have had no more to do with Bikram Singh than with any other Indian Army officers. In this way you can accuse any officer who comes to the palace. We invite them to the palace with a view to show our appreciation of what they are doing for the State."

At this stage Sheikh Sahib again started off regarding the massacre of the Muslims in Jammu and said that even C. R. Chopra (then Governor) and Brig. Udey Chand (then I.G.P.) had admitted that I must have had a hand in this. I said, "It has taken them several months to say this. Anyway, it is no use discussing the matter here and if you really believe in what they

say why not have an impartial enquiry by unbiased and independent persons?" Sheikh Sahib heatedly said, "What is the good of saying that? I started an enquiry [but] it was stopped from Delhi."

Bakshi again intervened and tried to bring the conversation back to the administrative control of the Army. But Sheikh Sahib would not stop and went on to say, "I have got to turn the minds of Muslims of the State from Pakistan to the Indian Dominion. If the Muslims feel their lives are not safe and things are not done in the way I want them to be done then it is no use my carrying on and I had better resign. There can be no reserved and non-reserved subjects. Everything must be in my hands."

I felt he was trying to goad me into saying something on which he could hang his resignation. I only said, "Sheikh Sahib, please let the States Ministry deal with all these issues. Considering all you have said, I cannot deal with such matters." He retorted by saying, "If the States Ministry wants me to drown myself in the Dal [lake], I for one am not going to do so. I will resign and tell the people that I have done so because I have been hampered both here and in Delhi and they can go to Pakistan or the Indian Dominion as they like." After this there was about 5 minutes silence.

Bakshi then said something to Sheikh Sahib about opening his Roza. I offered to get some tea for Shiekh Sahib, but he refused saying that there was still time for him for offering his prayers and opening his Roza in his own home.

After a minute or two Sheikh Sahib and Bakshi left the room saying "Khuda Hafiz"[1] in a curt manner without even looking either towards Her Highness or me. As they went near the door Sheikh Sahib said to Bakshi, "It is no use. We will have to deal with Delhi and force their hands."

N.B. This conversation took place in Urdu and English, with Urdu predominating.

1 May God protect you

CHAPTER XIV

ABDULLAH A 'LAW UNTO HIMSELF'

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TELEGRAM

New Delhi
9 August 1948

Sheikh Mohammad Abdullah
Prime Minister
Srinagar

REFERENCE MY LETTER SIXTH AUGUST. OWING TO MY PREOCCUPATIONS WITH ASSEMBLY SESSION WOULD SUGGEST SEVENTEENTH AUGUST INSTEAD OF TWELFTH. HOPE THAT SUITS YOU.

VALLABHBHAI

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TELEGRAM

Ministry of States
New Delhi
10 August 1948

His Highness Maharaja Bahadur of Kashmir
Srinagar

DISCUSSIONS START ON SEVENTEENTH INSTEAD OF TWELFTH. HAVE ASKED SHANKAR ARRANGE FOR YOUR HIGHNESS' PLANE FROM JAMMU ON SIXTEENTH. PLEASE TELEGRAPH TIME AT WHICH YOU WOULD LIKE LEAVE JAMMU. KINDEST REGARDS.

VALLABHBHAI

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The Laurels
Balton
England
13 August 1948

My dear Sardar Sahib,

It is now almost eleven months since I saw you in Delhi on the eve of our departure for England. They have been and are months of bitter anxiety for us. But I cannot help writing to say how grateful I am not only for the sympathy you showed to me then, but [also] for your continued help and sympathy about which my brother-in-law, Pandit Prem Nath Kak, has on several occasions written to me.

I hear that charges have now been framed against my husband on all three counts, in spite of the fact that the evidence produced before the Special Magistrate by the prosecution was of the flimsiest nature. A revision against the framing of the charges is now being argued in the Sessions Court, but my husband has warned me that the outcome is very doubtful in view of the fact that in spite of the inadequate evidence produced, charges have nonetheless been framed. I need not, I know, tell you how intensely grateful I should be to you for anything you can do to ensure that the trial is conducted freely and fairly and above all for anything which can be done which would bring the time nearer when we can rejoin him, and we can begin to build up a joint life once more.

I trust that your health is now fully restored, in spite of the heavy burdens you are required to shoulder in the service of the country.

With heartfelt thanks for the sympathy you have shown, and in full confidence of the continuance of your help,

Yours very sincerely,
Margaret Kak

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New Delhi
20 August 1948

Dear Mrs. Kak,

Thank you for your letter of 13 August, 1948.

I quite realise your predicament. I have seen your brother-in-law several times, and I have also tried to help him. But I am afraid I have failed. It is not possible for me to influence the course of events in regard to your husband's trial.

With kindest regards,

Yours sincerely,
Vallabhbhai Patel

Mrs. Margaret Kak
The Laurels
Balton
England

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The Laurels
Balton
England
21 September 1948

Dear Sardar Sahib,

Though your letter of 20 Aug. brought no new hope I cannot omit to say how grateful I am to you for your prompt reply and I still rest in the assurance that you have some interest in our affairs and will not fail to help us, if the opportunity arises.

I need not say how urgent our need is in view of the fact that the final arguments in my husband's case were to have begun on 11 Sept.

With grateful thanks for understanding and sympathy,

Yours sincerely,
Margaret Kak

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New Delhi
14 August 1948

My dear Vallabhbhai,

This evening some members of the U.N. Kashmir Commission called on me and presented a copy of a resolution they had passed yesterday in Karachi [Appendix Fourteen]. We did not discuss this resolution at all. I told them that we shall have to consider it very carefully before we could say anything about it. We may require further elucidation.

I am enclosing a copy of this resolution. You will notice that it raises very important and vital issues and we shall have to give it the most careful consideration. It will have to be considered by the Cabinet. But before we take it there, a few of us might meet together to discuss it. I am arranging a small meeting for this purpose in my room at the Council House on Monday morning at 12. To this meeting I am inviting Sardar Patel, Sardar Baldev Singh, Mr. Gopalaswami Ayyangar, the Secretary General,[1] Mr. V. P. Menon and Mr. Vellodi. I suggest that for the present no others need be brought into this consultation. I trust you will keep this resolution completely secret till then.

Yours,
Jawaharlal

The Hon'ble Sardar Vallabhbhai Patel

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New Delhi
30 August 1948

My dear Vallabhbhai,

Some days ago I received a personal and confidential letter from Lord Mountbatten. I showed it to the Governor-General today. He was of opinion that as this letter dealt with important and grave matters, all the Members of the Cabinet should see it. I am therefore sending a copy of it to you. . . .

Jawaharlal

1 G. S. Bajpai, Secretary-General, External Affairs Ministry

ENCLOSURE

COPY OF A LETTER FROM LORD MOUNTBATTEN TO PANDIT NEHRU DATED LONDON 15 AUGUST 1948

We have just come back from a great meeting at the Albert Hall where over 4,000 people joined together to celebrate the first anniversary of India's independence. No doubt you will see the full report in the Press, but I thought you would like to know that every time your name was mentioned it brought all proceedings to a standstill; so long and so genuine was the applause.

Edwina and I are off tomorrow morning to Ireland and after that to Canada, and will not be back until the end of the month, and I know that you will have in the meanwhile to take some very vital decisions. How I wish I could still be with you in Delhi and help you to make them by giving you a chance to discuss all the points with me as you used to in the old days.

Although I have no right whatever to make any comments, let alone give you any advice now, I feel in a way a continuing responsibility for the situation you are now faced with, for it was I who encouraged you to take the Kashmir case to UNO.

Since I have been over here, I have had an opportunity of discussing this problem with every sort of person and all shades of opinion. I have been struck by the unanimity of thought over here that India was absolutely right to go to UNO. I know that you (and I) have been criticised in India for having gone to UNO because UNO handled the matter in a way that caused disappointment in India. But in the comparatively detached atmosphere of London it is more than ever clear that the alternatives before India were and still are open war or a decision by UNO. There are really no other alternatives except perhaps a continuation of undeclared war with all the risks that entail of eventually turning into a declared war.

I think you will agree with [me that] Pakistan is in no position even to declare war, since I happen to know that their military commanders have put it to them in writing that a declaration of war with India can only end in the inevitable and ultimate defeat of Pakistan.

Therefore a declared war can only come about by India making the declaration.

I know that you will instinctively shrink from taking such a course, but I also know that there are some of your colleagues in the Cabinet and the more noisy and unthinking elements in the country who will press you to declare

war. I therefore feel it may be of some use if I enumerate again the disastrous consequences of such an act on the part of India.

After all that the leaders of free India have said and stand for, after having won your long battle against Imperial rule, can we honestly contemplate that India's first major international act should be a declaration of war, and the final and open abandonment of all other methods of settling an international dispute? This will inevitably be of the gravest possible prejudice to India's future international position; indeed UNO might well outlaw her, in my opinion, naming her as the aggressor. What a paradoxical tragedy that would be!

I am certain I do not need to reassure you as to the sincere friendship which HMG feel towards India. The decisive voices in the British Cabinet are extremely sympathetic and well disposed towards India. If there was any doubt, surely Attlee's remarks in the recent debate in the House on Hyderabad and Stafford's remarks at the Albert Hall today would reassure you. But whatever their feelings would be, they would have no option, in my opinion, but to conform with UNO's decision if they were to name India as the aggressor.

The converse seems equally true to me; if the United Kingdom were named an aggressor by UNO, the Government of India would be bound to conform to UNO unless indeed they were to abandon UNO.

I need not remind you that you have 4 crores of Muslims spread all over India to whom communal peace was given by Gandhiji's teaching and finally by his death. Can anyone doubt that all Gandhiji's teaching would be thrown by the board, and that communal massacres which would make the Punjab look mild by comparison would follow open warfare with a Muslim State. A declaration of war would be signing the death warrant of a great number of innocent women and children within India and not merely within the war zone. In this respect I submit that India is in an almost unique position.

This would be a most inglorious end to the whole conception of the secular State for which you and Gandhiji and your followers have devoted your whole life's work.

Have you asked your Chiefs of Staff Committee to give you the advantages and disadvantages of declaring war? If you had a thousand heavy bombers, or a hundred, or even fifty, which could completely flatten out the Pakistan bases, then I could understand the military temptation to declare war. But what have you got? A few old Dakotas with a somewhat doubtful Harry Tate contraption to drop bombs which I have seen for myself at the Hindustan Aircraft Factory. To hit the target with this arrangement would entail flying at so low a height that the Pakistan anti-aircraft gunners could not miss. And we know from our own experience in England how ineffective even a first-class bombing force can be until after years of training and war experience.

If therefore you will agree that no sane man could subscribe to a declaration of war, what is the alternative? Apart from going on with an undeclared war, which is so likely to lead to ultimate disaster, the alternative must be UNO.

I think that India should show some patience with UNO, for after all it is the first time humanity has got together to try and find an alternative to war. All my discussions here have convinced me that it was not malice, power politics or any sinister motive which brought about the unsatisfactory treatment of our case. I admit that they took a long while to send the Delegation; that they failed to deal with India's complaint against Pakistan as you would have wished them to, and that things have dragged on interminably; but now you have the Delegation with you, and now is your opportunity to bring all possible legitimate pressure to bear to make them understand your position. I know that you, unfortunately, did not share my view that the last resolution of UNO was not unfavourable for India, but if you will look at it again, I think you will find that if UNO were to implement it, it can provide a reasonable solution for India. Certainly an infinitely better solution than plunging all the rest of India into the consequences of war.

If UNO, as Krishna [Menon] seems to think likely, order a cease-fire, with all the forces in their present positions, you might feel that this was giving an unfair advantage to Pakistan. But is it? If there are enough competent and honest observers, they can prevent the forward movement of troops and ammunition, and they can prevent any form of consolidation by Pakistan, or at least report any infringement which would finally put Pakistan out of court before UNO and the world.

The only satisfactory conclusion that I can see would be for UNO to condemn Pakistan publicly for sending their army into Kashmir on the ground that this is Indian territory. I do not myself see how such a condemnation could precede the acceptance of the order to cease fire. As I said just now, the act of complying with the cease-fire order could in no way prejudice India's military position, as your military advisers will tell you, but the condemnation of Pakistan by UNO which can then follow would be the justification of the policy which you have pursued from January and the beginning of peace in Kashmir. In effect this would enormously strengthen your position with your followers, and public opinion would certainly establish India's rightful position in the world.

For God's sake don't get yourself plunged in 'war' however great the internal pressure, for once in you cannot get out of the consequences.

New Delhi
6 September 1948

Dear Mr. Shankar,

Kindly refer to my last letter dated 17 August 1948. The position regarding the case of my brother, Pt. Ramchandra Kak, is that

(a) the court has disallowed re-cross-examination of important prosecution witnesses;

(b) the court has refused to summon important defence witnesses;

(c) the court insists on arguing the case without giving facilities to complete the evidence;

(d) the revision applications for framing of the charge has been rejected by the Sessions Judge and similarly others without any legal justification to do so;

(e) the prosecutor has not been able to produce, on being asked to do so, any proper authority conducting legal proceedings against Pt. R. C. Kak;

(f) the whole trial so far has been carried on in an unfair way, evidently with malicious intentions to convict my brother as soon as possible, not only with a view to satisfy the sense of their revengefulness but also to tarnish the unblemished name and character of my brother.

I shall be grateful if you will very kindly place these facts before Hon'ble Sardar Patel. He has been sympathetic and kind to us all through. I would request you that you may very kindly place before him the following submissions on my behalf.

1. That even if the trial has to be proceeded with, the proceedings may kindly be stayed pending appointment of an impartial judge from India to conduct the trial. His Highness the Maharaja Bahadur can do that very easily under law prevailing in Kashmir or the Government of Kashmir can appoint any outsider to try this case.

2. In the alternative the file can be got examined by any judge in India or the Law Department of the Government of India. Our claim is that such opinion will substantiate that

(a) the trial is illegal; (b) the trial is unfair and (c) that the prosecution evidence does not justify the framing of charges, much less

conviction. If impartial legal opinion is in any way contrary, my brother is prepared to accept the guilt and receive conviction without any further defence and appeal.

I may mention here that I met Sheikh Abdullah on 22 August and while relating to him how the trial was conducted in an illegal and shabby way, he said let the file be seen by any judge in the Indian Union and he will abide by [his] opinion. He further said that the Government of India could call for the file and refer [it to] any judge here for his opinion. So I feel he will have no objection in the procedure suggested above.

I may submit that arguments are starting on the 11th instant, five days hence, and the case will thus be ready for judgment next week, though, as briefly stated above, the whole trial has been illegal and unfair. In these circumstances we have no hope of justtice unless a definite directive regarding one of the suggestions above is issued by the States Ministry before that date.

I have fervent hope that with the sympathy and kindness Hon'ble Sardar Patel has shown towards my brother, he will kindly issue urgent instructions before it is too late, and see that justice is meted out to Mr. Kak and he is not convicted only because the present administration in Kashmir chooses to do so out of revenge and vindictiveness.

I may further submit that my brother through his defence counsel has in a confidential cover sent to me a revised copy of the statement which he may have to submit if necessary in his defence before the arguments start on the 11th instant. The statement has been revised according to the instruction conveyed to me by you on 3 August 1948. If you so desire, I shall submit the revised copy for any further instructions Hon'ble Sardar Patel may have to give. All the instructions will be strictly adhered to. In this connection I will come at any time you desire me to come.

I shall be very obliged to you if you will kindly thank Hon'ble Sardar Patel on my and on behalf of my brothers and the whole family for his kindness and sympathy towards us.

Praying for his long life,

I am,
Yours sincerely,
P. N. Kak

hankar Esq., ICS

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New Delhi
10 September 1948

Dear Mr. Kak,

Thank you for your letter of 6 September 1948, which I have placed before Sardar Patel.

Sardar Patel feels that there is nothing he can do in the matter. You would appreciate that His Highness the Maharaja Bahadur cannot act except on the advice of his Ministry. In view of the correspondence between Sardar and Sheikh Sahib, it is most unlikely that the Ministry would be inclined to interfere with the course of justice.

Yours sincerely,
V. Shankar

P. N. Kak Esq.
New Delhi

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Imperial Hotel
New Delhi
9 September 1948

My dear Sardar Patelji,

It is usual in the State to fire gun salutes on the following days:

1. Baisakhi
2. Janam Ashtami
3. My birthday
4. Dussehra
5. Basant Panchmi
6. Yuvraj's birthday
7. Ram Naumi
8. Departures and arrivals of myself and Her Highness

There was no difficulty about this when the control of the Army was with me, but now as the control has been transferred

to the Indian Army for the duration of hostilities I should be grateful if you will very kindly issue instructions to the authorities concerned to fire the gun salutes on the above-mentioned days in accordance with such programmes as may be intimated to them.

My birthday is on 27 Sept. Therefore early instructions may very kindly be issued.

With kindest regards,

Yours sincerely,
Hari Singh

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New Delhi
24 September 1948

My dear Maharaja Sahib,

Please refer to your letter dated 9 September 1948 addressed to Sardar Patel regarding the firing of gun salutes on certain days. Instructions have now been issued to the Western Command that this should be continued on the days mentioned in Your Highness' letter.

Yours sincerely,
V. Shankar

Maharaja Sir Hari Singh
Jammu

182

The Palace
Jammu-Tawi
5 October 1948

My dear Shankarji,

Many thanks for your letter of 24 September.

I am grateful for the prompt action taken on the requests contained in my letter to Sardar Patel. I have also written to General Cariappa thanking him for his offer of help.

The question of the transport of widows and orphans from Jammu to Udhampur has, I am glad to say, ceased to be of immediate importance.

I appreciate the suggestion that I can be of greater assistance in the event of a sudden emergency in Jammu if I am attached to the Tactical HQ in J & K instead of being attached to the Jammu Division. In fact there was no Corps Commander in J & K when I expressed a desire to be attached to the Jammu Division.

With kindest regards,

Yours sincerely,
Hari Singh

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New Delhi
30 September 1948

My dear Jawaharlal,

I was surprised to read this morning an account of the Press conference which Sheikh Mohammed Abdullah is reported to have held here yesterday. He said he would be seeing me today and I was waiting for him, but since he did not turn up, I am writing to you as well as to him about it.

It is rather odd that he should have found the venue of a Press conference to ventilate his alleged grievance against the Maharaja. No one should know better than he that the Maharaja is not in a position to resist the demands of the popular Ministry. We, the Maharaja and Sheikh Mohammed Abdullah himself came to a settlement last March. That settlement has not only been faithfully adhered to by the Maharaja but, in certain respects, he has acquiesced in departures from that settlement to the advantage of Sheikh Mohammed Abdullah and his Ministry. [I] refer in particular to the position regarding the reserved subjects of which the jagirdars form one. I am not aware of any single instance—at least Sheikh Sahib has not brought it to my notice—in which the Maharaja has obstructed or resisted any of the popular reforms. As a constitutional head, he may have asked for reconsideration in one or two matters, but this could hardly be treated as the subject of a grievance. It is undignified and constitutionally improper for a Prime Minister to attack the constitutional head of his administration, knowing full well that the latter is not in a position to defend himself or to retaliate. On top of it, to insinuate that he is trying to retain power, or that he has strong friends in India or that he could buy friends is, in my opinion, to say the least, most unfortunate.

Sheikh Sahib has also referred to certain people in India who believe in surrendering Kashmir to Pakistan. I should like to be enlightened who they are. As far as my information goes, there are many more of such people in Jammu and Kashmir State than in the whole of India put together.

Sheikh Sahib also refers to the Hindu fanaticism of the East Punjab. This again is a generalisation which, I hope, Sheikh Sahib in calmer moments will regret. It certainly is a most unfortunate attack on a neighbouring province of the Dominion to which his State has acceded.

I hope Sheikh Sahib realises that nobody has been more accommodating to him than the Government of India and none has extended to him greater understanding and sympathy in his struggle than the people of India. In spite of the fact that he has departed from an accepted position from time to time, we have tried our best to put pressure on the Maharaja and make him concede the position which he has taken up. I thought that, having made the Maharaja accept the position regarding the Army, he would now accommodate himself to the Maharaja and would not at least carry controversy in public. He has, however, thought it fit to do so, without having any regard for the fact that he is, after all, constitutionally the Maharaja's Prime Minister. I think it would be difficult to find a parallel in constitutional history to the sort of attack which he has made on the Maharaja. I hope you will succeed in impressing upon him the mistake he has made. We shall have gained something if at least it is not repeated. I thought I would let you have my reactions so that if an opportunity arises you might speak to him some time. I am sending herewith a copy of my letter to Sheikh Sahib.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Pandit Jawaharlal Nehru
New Delhi

ENCLOSURE

New Delhi
30 September 1948

My dear Sheikh Sahib,

I have seen a report of your yesterday's Press conference which has appeared in today's Statesman. You made no reference to it when you saw me

yesterday nor did you give me any indication that you were going to deal with certain controversial matters with which we, in the States Ministry, are undoubtedly concerned. Indeed, in respect of some matters we are seized already. I thought, as you told me yesterday, you would be coming to see me, but since you did not come, I am writing this to you.

I had hoped that with the Army question now out of the way and with practically no resistance or obstruction from the Maharaja in regard to the many schemes of reforms which you have introduced and are introducing, you would now accommodate yourself to your new constitutional relationship with him. I had never imagined that you would ventilate your grievance in public and I had thought that at least in fairness to ourselves and, having regard to the agreed arrangements between ourselves, if you had any grievance, you would first come to the States Ministry and seek a satisfactory solution through our medium. In fact, so far whenever you have had any difficulty we have not hesitated to put pressure on the Maharaja to accept a position, even though in certain matters it went against the arrangements agreed to last March.

No one knows better than you that today the Maharaja is powerless to resist your wishes. Even if he feels inclined differently, on merits he has to endorse your wishes if you pressed them. It is within my knowledge that he has deferred to your wishes in matters which concerned him intimately such as allowances to the family of the Raja of Poonch or to the handing over of guest houses or in regard to tenancy reforms. I am, therefore, unable to comprehend your reference to his trying to retain power.

I am also rather mystified at your reference to his having strong friends in India, or his being in a position to buy friends. During the three or four weeks that he was in Delhi he was quite inaccessible to interviewers and to the Press because he felt that, constitutionally, it was improper for him to deal in public with any matters affecting his State. If you have any particular information about these strong friends, I would be glad if you could communicate it to me. You have also referred to certain people who believe in surrendering Kashmir to Pakistan. I should like to be enlightened on this point as well. You will agree that we should know who these traitors are. You have also referred to the Muslim fanaticism of Pakistan and the Hindu fanaticism of East Punjab. As far as I know none of the Hindus or even Sikhs of East Punjab would like Kashmir to go to Pakistan. There has undoubtedly been some dissatisfaction in India with certain measures which have been put into force, but such dissatisfaction is by no means so general as to justify your dubbing a whole province as having succumbed to any kind of fanaticism, particularly when that province happens to be your neighbour and one whose goodwill and assistance would be of some help to you. You have also referred to the view that "we deserted the Frontier." This is probably a criticism of our attitude to

the referendum in the Frontier. Jawaharlal would know best how to deal with this criticism of yours which, I can only say, is based on complete ignorance of facts. I don't blame you for it because you were in jail at the time.

I hope you will not mind my speaking to you frankly about your interview because I do feel that now when we are engaged in a common struggle against a foreign foe this sort of interview or thinking aloud does no one any good. On the other hand, it merely gives a loophole to our enemies to harp on dissensions and dissatisfactions and to pick out phrases here and there which could be magnified into more serious proportions on which a great deal of hostile propaganda can be built. It is much better our trying to solve our difficulties round a table in an atmosphere of friendliness and cordiality than to try to discuss them in public in an attempt to collect popular support for it. You know very well that our relations are such that any propaganda or publicity for your views in India is unnecessary. You also know that whenever you have had any difficulties we have tried our best to help you to overcome them and have mostly succeeded. Either the difficulties which you experience in India are formidable or they are not. If they are formidable, we have the right to be told what they are before you take the public into confidence. If they are not, they are hardly worthy of public notice.

With kindest regards,

Yours sincerely,
Vallabhbhai Patel

Hon'ble Sheikh Mohammed Abdullah
C/o The Prime Minister of India
New Delhi

184

New Delhi,
1 October 1948

My dear Gopalaswami,

I wonder if you have seen the report of Sheikh Abdullah's Press conference which appeared in yesterday's Statesman. If you have not, I shall be glad if you will kindly see and let me have your reactions to it. I myself feel bitterly that, after all that we have done for him and the sympathy and understanding which we have extended to him, he should have indulged in such direct and unbecoming attacks on the Maharaja who, he knew, would be unable to hit back and who has, to the best of my information, done nothing to obstruct or to resist the many reforms which he is reported to be introducing in the State

administration and should also have made unwarranted insinuations about 'his strong friends' in Delhi, about 'his being able to buy friends,' about 'Hindu fanaticism of East Punjab' etc. After we settled the Army question on the basis to which he had agreed, I thought that the controversy between him and the Maharaja would end, at least in so far as its serious aspects were concerned. But it seems that he gets a position of vantage merely to fight for another and his latest attempt is intended to mobilise public opinion in India. I have myself written to him separately, but I thought it would help me if you could let me know how you feel about it.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Mr. N. Gopalaswami Ayyangar
New Delhi

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5 Queen Victoria Road
New Delhi
2 October 1948

My dear Sardarji,

I have received your letter of the 1st, regarding the Press conference which Sheikh Abdullah addressed on 29 September. Before I saw an account of it in the newspapers, I had been told orally by persons who had been present there of a good deal that he had said but had not appeared in the newspapers. What was not reported in the papers, I gathered, was even more unjustifiable than what did appear.

Sheikh Abdullah came to see me the next morning and I asked him myself whether he had not said worse things than what had been reported. He replied that there were some things which he had said, but which had not been reported, but they were not worse, in his opinion, than what had been reported. I told him that he might have avoided certain things which some of the audience he addressed might have welcomed, but which obviously in the circumstances it was unwise for him to have given expression to. I added that I had one consolation in reading that morning's newspapers, for they reported that Begum Abdullah[1] had publicly committed herself to the proposition that

1 Sheikh Abdullah's wife

Kashmir should permanently accede to India and that any other course would be ruinous to that State. I reminded him that, as he himself knew, the general opinion was that Begum Abdullah was actively pro-Pakistani and I therefore welcomed a statement of that sort from her. It was strange, I added, that this piece of news was obscured by his own Press conference which was displayed under bold headlines. I do not think I need say anything more as to my reactions to Sheikh Abdullah's part in that Press conference.

Yours sincerely,
Gopalaswami

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

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New Delhi
3 October 1948

My dear Jawaharlal,

In continuation of my letter of 30 September regarding Sheikh Mohammed Abdullah's Press conference, I send herewith a copy of the letter which I have received from Gopalaswami, whom I had invited to give his reactions on the report [See 185].

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Pandit Jawaharlal Nehru
New Delhi

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New Delhi
4 October 1948

My dear Vallabhbhai,

Thank you for your letter of 3 October about Sheikh Abdullah's Press conference. I did not reply to your previous letter as I was leaving for Kashmir. I entirely agree with you that some of the statements that Sheikh Abdullah made in regard to the Maharaja were very indiscreet and should not have been made.

In Srinagar I had a long talk with Sheikh Abdullah and Bakshi Ghulam Mohammad about a large number of matters, more specially the whole background of our approach to these problems. I hope this did some good. Sheikh Abdullah is, I am convinced, a very straight and frank man. He is not a very clear thinker and he goes astray in his speech as many of our politicians do. He is of course obsessed with the idea of meeting the challenge of Pakistan and keeping his own people from being influenced by Pakistan's propaganda. I made it clear to him that while I entirely agree with this, the approach should be different.

Yours,
Jawaharlal

The Hon'ble Sardar Vallabhbhai Patel

188

Srinagar
7 October 1948

My dear Sardarji,

I thank you for your d.o.[1] dated 30 September 1948.

1. While I fully appreciate your anxiety to seek clarification on certain aspects of my address to the Press conference referred to in your d.o., I may hasten to assure you that there was in my mind absolutely no idea of withholding my views from you or bypassing the States Ministry. When I met you, the talk chiefly centred on affairs connected with the UN Commission and my attention was wholly taken up with them. I was myself very keen to discuss other matters also with you and it was therefore that I asked for another interview with you the next day. On the day following I expected to get some notice from your Secretary as to the time that would be convenient to you to meet me at your residence. I got no initimation and concluded that owing perhaps to pressing engagements and also your indifferent health it was not possible to spare time for another meeting.

2. I am sorry to have to say that my stand upon the various points dealt with by me in the Press conference has been, in a great measure, misunderstood and there has been little appreciation of the peculiar position in which I and my colleagues are placed in the present critical situation in the State. I shall try

1 Demi-official letter

to give here as full a picture of the present state of affairs here as possible, particularly in its relation to the points raised in your d.o.

3. It will not be quite the whole truth to say that the question of the administration of the Army has been settled. Even such settlement as has been arrived at, which took full six months to materialise, has not so far been implemented in its entirety. With the taking over of the State forces by the Indian Government it was agreed that steps would be taken to reorganise and rebuild our Army so that when the present emergency is over and the Indian Forces are withdrawn, the State will be left with a properly organised army of its own to fall back upon. This request was made as early as March last and has been repeated several times since. During my discussion of the matter with Shri Gopalaswami Ayyangar and Mr. [V.P.] Menon at New Delhi on 20 and 21 June last it was agreed between us that an Indian Army officer will be appointed to reorganize the State forces. Nothing, however, has been done in that direction so far to my knowledge.

4. It need not be reiterated here that the J & K Army has virtually been a close preserve of a very small coterie of the favourites of the ruling family, namely, the Hindu Rajputs. All other classes and communities of people inhabiting the country have been eliminated for this purpose. In these circumstances, it is not surprising that the Army has not been able to inspire any confidence in the people of the country either as a fighting force against outside aggression or as a protective arm within. In fact, the Army question has been the main grievance of all the various communities of the State and there has been persistent agitation against its class composition. It was after a careful consideration of the whole matter that I had urged a complete transfer of the Army administration to a popular Minister of my Cabinet. To my mind that alone was the real and effective solution of this thorny problem. To my great regret this was not agreed to and it was only a compromise that I accepted the transfer of the State forces to the Government of India on the condition that the forces will be soon reorganised on a broader and more liberal basis. As I have stated above, even this compromise decision has not been implemented and it is therefore futile to say that the Army question is solved and is "out of the way."

5. I am astonished to have it from you that there is "practically no restriction or obstruction from the Maharaja in regard to the

many schemes of reforms" which I have introduced or am introducing. Nor did I expect from you the remark that "today the Maharaja is powerless" and that he has shown deference to my wishes in matters "such as allowances to the Raja of Poonch or to the handing over of guest houses or in regard to tenancy reforms." Nothing is indeed farther from the facts than the complacency contained in this assertion and I may be pardoned if I have to say that it has really grieved me to know that the States Ministry should be so ignorant of the real position.

Just a few instances will illustrate my meaning. As early as April last my Cabinet formed the resolution that rakhs [government land used as common pasture] and military farms should be handed over to the "Grow More Food Department" to be utilised for cultivation of the much needed foodgrains. This was with a view to relieve, in some measure, the virtual famine conditions prevailing in the State. You cannot be unaware of the fact that we had to import large quantities of foodstuffs from India at a price nearly five times more than that prevailing in the State. This has obviously involved us in huge financial commitments. And it should not be lost sight of that the Kashmir Valley faced a series of serious crop disasters, owing to repeated floods. In spite, however, of the dire necessity to find space where we could grow our own food, His Highness' Military Farms Department did not transfer the rakhs and farms nor has he to this day confirmed our resolution. It would not be difficult to imagine that our food difficulties in the forthcoming year will be considerably enhanced by this attitude of non possumus.

The Cabinet recommendation regarding resumption of jagirs and mukarraries has not been confirmed by His Highness even though several months have passed since the case was submitted to him. This matter was subsequently referred to the States Ministry of the Government of India, but in spite of certain agreements arrived at in our discussion at New Delhi on 20 and 21 June last no orders have so far been communicated.

With regard to our new tenancy reforms, a new Bill was submitted to His Highness some time ago. He wanted some elucidations which were supplied by me immediately. His assent to this measure, however, has not been received so far and I am really at a loss to know on what basis you say that he has agreed to our tenancy reforms.

The matter of allowances to the family of the Raja of Poonch is in the same situation. Excepting the allowance to the Raja

himself, the case of the other members [of his family] is still hanging fire.

The Kashmir Alienation of Land Act—a matter of great importance locally—was to expire on the 2nd of October. We sent a draft ordinance to His Highness by the middle of September proposing prohibition of alienation for a period of six months to enable us to examine the whole question and prepare suitable legislation. His Highness has not given his assent to this ordinance also and the existing law of alienation has now expired. I do not desire to trouble you with other instances of a glaring nature in which co-operation has been withheld from us or even obstructions placed in our way. I would earnestly request you to consider the position to see for yourself if the Maharaja is really "powerless."

6. I have done my utmost during the past 7 months to explain the whole position to you and to Panditji. It will be recalled that in June last in one of my communications to you in reply to certain queries made by you I dealt at length with the position of the Maharaja and the feeling that the public here entertains for him. I regret that in spite of my repeated attempts in this behalf the sentiments of the people of this State with regard to the unmistakable part which the Maharaja and his satellites took in the general massacre of Muslims at Jammu are but insufficiently appreciated. Even at the risk of adding to the volume of this letter I would reproduce here some portions from my note of 1 June. I then said:

> "I have made no secret of it so far and I repeat it that the Maharaja has generally lost the confidence of the people of the State and Kashmiris in particular entertain bitterness against him. The reasons for this are not far to seek. In a moment of supreme crisis when Kashmir was actually facing annihilation in October 1947 His Highness left the Kashmiris at the mercy of raiders without giving a moment's thought to the question of protection of their lives. At that moment a fairly large portion of the State had fallen into the hands of the enemy and thousands of men, women and children of his "beloved subjects" were being butchered every day. In this testing hour his only anxiety was to collect his belongings, commandeer transport and bolt off stealthily with his kith and kin and a few chosen favourites. The Indian Army had not yet arrived and he was then feeling that Kashmir had gone out of his hands and he had better run away with his own life. He did not thus throw [to the enemy] only his Muslim subjects . . . about whom, it was patent, he never had any soft corner, but he completely betrayed the Kashmir people

as a whole. The rude shock it gave the people can better be imagined than described. And what happened in Jammu after his arrival there is an unutterable tale. As early as December 1947 I referred to this in some detail in my communications to Panditji and Gandhiji. As he moved down from the tunnel [on the road from Srinagar to Jammu], there was enacted in every village and town through which he passed an orgy of arson and loot and murder of Muslims. In Jammu, the killing of Muslims all over the province continued unabated for weeks under his very nose, the town having been converted into a veritable hell. Innocent children and girls were not spared and the display of sadism to which they were subjected would render insignificant anything that happened on the two sides of the divided Punjab in its hour of madness. All this staggering tragedy on such a vast scale is alleged to have been accomplished by the participation of high-ranking Hindu officials and Dogra military in Jammu as well as His Highness' own trusted relations and his then Prime Minister and Deputy Prime Minister. A widespread belief, certainly not without basis, was that the killing was carried on in pursuance of an organised plan of genocide under which free distribution of arms and ammunition was made to communalist organisations like RSS through Hindu officials, high and low. Thousands of Muslims besieged in the town of Jammu were asked to march in convoys to death under the very escort of State forces who themselves actively participated in the shooting and killing. This was done only at a distance of a few miles from His Highness' Palace. As against this I and every worker of the National Conference in Kashmir Province at that moment of grave peril were fighting the raiders and protecting the life and honour of the microscopic minority here. The general belief that this large-scale tragedy could not take place without active participation or connivance of the authorities that mattered in Jammu receives support from these facts. I made earnest appeals to His Highness then that the Rashtriya Seva Sangh, whose creed was based on violence and which had executed its plan of genocide far and wide, could be declared unlawful and ruthlessly suppressed. He pointblank refused to do it. This is the co-operation and support that I have been receiving from him and under these circumstances I am expected to restore the people's confidence in him and carry the people with me in the successful prosecution of the war that we are fighting. The sober-minded Gandhiji was so moved by this tragedy that he several times in his prayer meetings referred to the carnage perpetrated in Jammu. After inquiry through impartial agencies he located the responsibility for this killing in unmistakable terms."

And here the point of distinction must not be lost sight of. I do not for a moment deny that our Hindu brethren have been victims of regrettable slaughter, arson and loot in those parts of

the State which have been overrun by our enemies. Whereas there this miserable carnage was perpetrated by the raiders with whom we are fighting, in the State these unspeakable crimes on the Muslims were committed by those who stood charged with the duty of defending the people, i.e., the Dogra Army and the high officials of the Maharaja's Government. I rounded up by saying:

> "I am therefore constrained to aver once again that the choice is finally between the Maharaja and the people and if the choice is not soon made, it might land us into very serious trouble both militarily and politically. The only alternative is that His Highness should abdicate in favour of his son and that there should be no reservations whatsoever in the administration of various subjects under the Ministers. This is my considered opinion after taking stock of the whole situation in the last seven months. I have on a number of occasions apprised Panditji, Mr. Gopalaswami Ayyangar and other high-ranking officials of the Government of India of this. Recently I had a frank talk about this with Rajkumari Amrit Kaur. I am therefore giving here my considered, decisive and final opinion in this behalf. It is now up to the States Ministry and Panditji to decide how this object is to be achieved."

This is the view to which I still adhere. On getting inadequate response from the States Ministry in this matter and thinking that they are perhaps right in not forcing this issue at the present moment, I conceived the idea of starting an inquiry into the happenings at Jammu with a view that the very fact of my taking such a step would assuage in some measure the outraged feelings of the people of the State. Indeed, I was always of the opinion that if the Maharaja was innocent, it was for him to institute an inquiry and even face a public trial to defend his honour and set at rest the serious allegations made against him. Instead of doing so the only course that he thought fit to adopt was to withdraw himself in his own shell, snapping all possibility of contact with the public, and engage himself in torpedoing the Government below the waters. The enquiry was instituted but had to be stopped at the pressure brought to bear upon me that it would be inopportune and would adversely affect other interests. I am still of the opinion that the baulking of this matter in this fashion is to keep the public mind on the tenterhooks and forefeit their wholehearted co-operation with my Government in its attempt to rehabilitate the shaking structure of the State. I cannot refrain from reiterating that as long as something is not done by way of an enquiry in this behalf, we shall continue to be treading on slippery ground.

7. Our economic programme is only too well known. It is my firm conviction that it was our rigid adherence to that programme that has saved us from the orgy of communalism during the last crisis. That programme hits feudalism and lays the axe at the root of vested interests. It was only to be expected that the elements affected by that programme will try to resist it both from inside and outside the State. It will be conceded that these nefarious vested interests, so inimical to the larger welfare of the poor people, are still stalking the land and have not been liquidated either in the State or in India. They have strong sympathisers both here and in India. Nor is it to be surprised at that these vested interests would prefer Pakistan to India in the hope that they can flourish there at least for the time being. I see unmistakable signs that these vested interests have combined and are engaged in an attempt to so manipulate the position that Kashmir be surrendered to Pakistan. You may have recently read an article in the Eastern Economist of 15 August under the caption 'Kashmir and Hyderabad'. On the Kashmir question the suggestion is that a gift of a part of our territory should be made to Pakistan. The article says that the prospects are very dark and advocates a friendly settlement with the organisers of the raiders because, according to the author, large areas in Kashmir may opt for Pakistan. And I may quote yet another instance of a similar nature. A certain Mr. A. M. Thakur writing in the Times of India, Bombay, says, "As India's right over Hyderabad is unquestionable, so is Pakistan's over Kashmir . . . the example of the NWF Province is sufficient for our guidance. Let us not be misled by wishful thoughts and mere hopes."

I cannot imagine a more glaring example of creating a sense of frustration than this. I had persons like this in view when I said that there are people in India who are trying to bring about a surrender of Kashmir to Pakistan. Is it wrong to conclude that pseudo-journalists like Mr. Thakur mere play the piper [and] the tune is called by someone else who pays?

8. The story of the communal disturbances of March and August 1947 and the misery of the millions of Hindu and Muslim refugees in the two parts of the Punjab is still green. A large number of these refugees passed through the State territory in their aweful plight. These unfortunate victims repeated their tales of woe and misery in the Province of Jammu, thus radiating bitterness which is taking root, and what is happening in the East and West Punjab today as a result of this bitterness is known to everybody. Whoever perpetrated these nefarious crimes, whether they

are of the one or the other part of the Punjab, are fanatics of the worst type and we have to fight them wherever they are. My reference was to such elements and in my opinion it was both opportune and necessary. We have, all of us, to hold aloft Gandhiji's banner of love and truth. It is only with this noble ideal uppermost in our hearts that we can make India a truly secular State.

9. Last of all you have made reference to the case of the NWF Province. I did say that "we deserted the Frontier." The facts that we know are such that to my mind the Congress stand vis-a-vis NWFP cannot be justified. Every province decided to opt for either Dominion on the basis of the majority vote of her legislature. Why was not this done in the case of the NWFP and why was a decision taken on the basis of a referendum in this case alone? Why did Congress agree to this discriminatory treatment? Again, since West Punjab had opted for Pakistan and the NWFP had no access left to India, why was not Badshah Khan's [Khan Abdul Ghaffar Khan] demand for Azad Pathanistan supported by Congress? I see no answer to these questions and therefore I said that "we deserted the Frontier."

10. This is the background of my Press conference. In this perspective you will see that I said nothing which was new or was not fully within your knowledge or that of the States Ministry. I feel intensely on these matters. We are engaged in a life and death struggle. This is not the time to mince matters. You cannot expect me to watch unmistakable attempts to sabotage us and remain quiet. To my mind a policy of laissez faire would not suit the temper of the time. You have yourself been all your life a political worker among the masses and can easily appreciate the difficult position in which I am placed. The public have a right to know from me that power has now finally passed into the hands of the people; that the subterfuge of "reserved" and "non-reserved" subjects, the crippling encumbrances of the privy purse and royal family allowances and a host of other unconscionable burdens doubling to breaking-point the backs of the poor, starving, famine-stricken people are now lifted for once and all and that I am in a position to deliver the goods. That alone can give the lie direct to the Pakistan propaganda, linking my name with all the misdeeds of the previous regime and out to show that His Highness has parted with the shadow and not the substance of power. We have to carry the people with us and I have always appealed to you and the Government of India

to back us without stint and without reserve. Kashmir can be saved only in this way, and this is the only way to vindicate the noble ideals for which the war of Kashmir is being fought.

11. I would beg to be pardoned for this somewhat lengthy letter which has [grown] out of proportion only because of my anxiety that there may be no misunderstanding in your mind and my ever-present desire that my point of view may be fully appreciated and its implications completely implemented.

Yours sincerely,
S. M. Abdullah

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

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DRAFT[1]

My dear Sheikh Sahib,

Thank you for your letter of 7 October 1948 which was received here on the 10th.

2. You seem to have misunderstood the point of my reference. My grievance was and still remains that before apprising us of your intention you sought a public forum for ventilating your so-called grievances against the Maharaja and gave expression to certain views which were bound to embarrass us. My impression was that you would yourself come or ask for some time the next day. Had I known that you expected me to fix a time, I would have had it conveyed to you.

3. You seem to be in the peculiar position of having been misunderstood, apart from many others, by all the three of us, Jawaharlal, Gopalaswami and myself. Jawaharlal has written to me and I believe has spoken to you also, taking exception to your attitude at the Press conference. Similarly Gopalaswami has done the same and spoke to you the very next day. From his letter to me it appears that even when he spoke to you the next day, you did not appreciate the reasons why he considered the report of your Press conference as particularly embarrassing. Your letter seems to show that, even now, you do not appreciate the entire

[1] The copy of the reply sent by Sardar Patel is not available. The draft letter is produced here after ascertaining from Miss Maniben Patel that the reply based on this draft was sent.

position. I put several pointed questions in my letter. You have avoided answering them and even where you have answered a few, it is a repetition of the old, old story. There is no disposition on your part either to understand our point of view or to strike a new line as demanded by the changed situation. I am quite convinced that the grossly prejudiced view which you have taken of the matters referred to is not likely to mend matters; instead it is likely to make them worse and more complicated.

4. You take exception to my remark that the question of the administration of the Army had been settled. Obviously, my remark referred to a settlement in so far as the outstanding point between you and the Maharaja was concerned. The problem of reorganisation remains and you can hardly expect us to produce miracles in that line within the short period of three weeks that the Army has been formally transferred to us; nor do you seem to be aware of the extent of our Army's preoccupations with the military operations. If you were, you would not have found fault with them for failure to secure a reorganisation of these forces. I also notice that both on this question and on other outstanding matters you have scant appreciation of our difficulties and preoccupations. Otherwise you could hardly have referred to delays in these matters in the manner you have done.

5. It is surprising that you should charge us with ignorance of the real position. The fact is that, while you see only one side of the picture, we see both the sides, and that, while you are content to regulate your conduct and your views according to that one-sided appreciation of facts, we have to weigh matters on a balance of both sides. You have omitted many matters in which you have taken actions which were contrary to the arrangements of last March and yet to which the Maharaja has taken no objection and has made no opposition. In the case of the Ruler of Poonch the Maharaja has already agreed to the reduction in the allowances of the Raja of Poonch and has also agreed to the non-payment of any allowance to two or three relations of the Raja. It is only in 2 or 3 cases that he has asked you to reconsider the matter in view of the fact that their circumstances are indigent and they would be thrown on the streets. If this is obstruction, I am afraid we shall have to define the word quite differently.

6. In regard to the tenancy reforms also, there has been no obstruction, but if you feel that seeking clarification or considering this important matter for some time with a view to placing His Highness' own views before the Cabinet for consideration is

"obstruction," I am afraid I am not prepared to agree. Apart from this, you met no obstruction from him—at least not that I am aware of—in regard to earlier measures which you introduced for the amelioration of the tenancy. The Cabinet recommendations regarding resumption of jagirs and mukarraries cannot be held against the Maharaja. The question was referred to the States Ministry by the Maharaja. It was discussed with [V.P.] Menon and Gopalaswami Ayyangar in July, but unfortunately it has not been possible to finalise the views of the States Ministry because obviously it has certain all-India considerations from which you may be immune but [by] which we are bound.

7. You seem to doubt my statement that the Maharaja is powerless. Nothing is more symptomatic of his being powerless than the fact that his Prime Minister can openly make repeated charges against him; yet he cannot reply. Apart from this, I am sure you will not be able to recall a single instance, within your own sphere, in which the Maharaja has, in any way, interfered or has gone against your wishes. As a constitutional head, he is entitled to advise and warn you but if you insist, he has to submit to it. As far as I am aware, so far he has complied with these requirements.

8. You have again harped upon incidents which, I thought, you had discreetly avoided persisting in, viz., the allegations against His Highness about atrocities. You do not seem to realise that both you and we ourselves owe the technical correctness of our position in regard to Kashmir to the Maharaja's signing the Accession and his calling upon you to form the Ministry. Without that, neither we nor you would have been where we are. It is possible he might not be there too but that does not affect the issue. In one's political life or career, one has to face allegations of many kinds from one side or the other. If an open enquiry were the only means of settling these allegations, one's lifetime would be spent in facing enquiries and answering charges or counter-charges which would at worst be found either without any foundation or with a small sub-stratum of truth. You have charged the Maharaja with withdrawing into his shell and snapping all possibility of contact with the people. What else could he do if every time he came out he has to face rumours and allegations that he was intriguing against his own Government. We have throughout succeeded in securing from the Maharaja almost everything that you wanted. Even the arrangements embodied in the proclamation and correspondence of March last were secured

by us in order to help you on your political front. You accepted those arrangements. We thought that those arrangements would at least make you reconcile yourself to the constitutional position of the Maharaja. The Army was the only question that remained potentially a bone of contention. For reasons which we have explained to you several times, but which you do not seem to appreciate, a decision was delayed. But finally a decision which was ultimately accepted by you was taken. We again thought that this would keep matters quiet; but within less than a month we find you again expressing your discontent, not to us, as would have been correct, but openly in public, knowing full well that neither the Maharaja nor we were really in a position to enter the arena of controversy.

9. I am surprised that a political leader of your experience should have attached so much importance to an infinitesimal section of the people in your State or here and to the article in the Eastern Economist or the contribution in the Times of India as to prompt you to make such sweeping and general remarks to which I had called pointed attention in my previous letter. I am also surprised that you should have been compelled to recall events, and participants in these events, of March to August 1947 to add some interest to your Press conference. It is patent and well known that the elements which indulged in those disturbances are very much weaker today than a year ago. There was hardly any occasion for you or for us to dig them out from comparative insignificance.

10. As regards the NWFP, I am afraid you are completely ignorant of what took place and what the reasons were for our agreeing to a referendum in the NWFP. Before rushing to the Press with your views based on such ignorance, I wish you had discussed this matter with Jawaharlal or myself. I am also surprised that you should refer to the "subterfuge" of "reserved" and "non-reserved" subjects. Unfortunately, this distinction forms part of the correspondence of March last and of the arrangements to which you then agreed. If you had any objections . . . you should have pushed those objections to a logical conclusion then instead of making a grievance of them now. Nor do you seem to appreciate that any persistent harping on the so-called "deeds of omission and commission of the past regimes" merely gives the Pakistan propagandists further material for calling the activities of the Azad Kashmir Govt. as aimed at Dogra tyranny and to that extent supplying them with a justification for their existence and for their

claims to sympathy from abroad. I am also surprised that you, who had a different attitude towards H.H. when you were in jail, as is typified in your letter to him, a copy of which is with me, should now speak in such terms of him.

11. I hope you will not misunderstand my frankness. I have only tried to put before you that there is another side to the picture and that it would be well for you to bear in mind that other side as well. In politics a one-track mind does not ultimately gain. It is only when we have the generosity to forgive and the virtue to forget that we can achieve our objectives. Attacking one who is not in a position to defend himself or repeatedly dwelling upon the past which had better be buried is, in my judgment, unlikely ultimately to succeed. I would, therefore, once again appeal to you to change your mind in an effort to secure that balance and accommodation which are the essential requirements of the situation in Kashmir today. I have every confidence that you will not find His Highness wanting in reciprocity and that you will find that that would also go a long way towards ensuring a really integrated and unified people in Jammu and Kashmir. You know very well that we have nothing but friendship and co-operation for you and the people of Jammu and Kashmir. My earnest endeavour is to ensure that everything moves towards a happy conclusion, efficiently and smoothly, without a trace of bitterness from the past or regrets in the future. I am quite convinced that until you can see your way, as suggested by Jawaharlal, to a different approach, such an object will not be achieved.

With kindest regards,

Yours sincerely,
Vallabhbhai Patel

Sheikh Mohammed Abdullah
New Delhi

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New Delhi
13 October 1948

My dear Gopalaswami,

I am sending herewith a copy of the correspondence which has passed between me and Sheikh Mohammed Abdullah on the question of his Press conference.

Yours sincerely,
Vallabhbhai Patel

The Hon. Mr. N. Gopalaswami Ayyangar
New Delhi

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TELEGRAM

Srinagar
29 October 1948

Sardar Patel
Deputy Prime Minister
India

BEG[1] INAUGURATING JAMMU AND KASHMIR UNIVERSITY SECOND NOVEMBER. REGRET VERY SHORT NOTICE. WOULD BE GRATEFUL FOR MESSAGE.

SHEIKH ABDULLAH

[1] Afzal Beg, Member of Abdullah Ministry

CHAPTER XV

KASHMIR AND COMMONWEALTH PREMIERS

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CABLE

19 October 1948

Primindia London
Foreign New Delhi

FROM JAWAHARLAL NEHRU FOR GOPALASWAMI AYYANGAR. SO FAR NO TALKS ABOUT KASHMIR EXCEPTING THE VAGUE HOPES EXPRESSED BY BRITISH MINISTERS IN FAVOUR OF SETTLEMENT. HAVE NOT MET LIAQUAT ALI KHAN EXCEPTING AT CONFERENCE.

2. DURING LUNCH TODAY WITH BEVIN[1] AND CRIPPS[2], FORMER BROUGHT UP QUESTION OF KASHMIR. NOEL BAKER WHO WAS ALSO PRESENT TOOK UP HIS USUAL LINE OF SOMETHING BEING DONE WHICH IS AGREEABLE TO BOTH PARTIES CONCERNED. I COMMENTED THAT I WAS THOROUGHLY DISSATISFIED WITH THE APPROACH TO THIS PROBLEM WITHOUT REGARD TO ETHICS OR DECENCY. WE HAD NO DOUBT ACCEPTED IDEA OF PLEBISCITE BUT SUCH PLEBISCITE WOULD IN ANY EVENT BE GREATLY DELAYED. MORAL ASPECT OF THE PROBLEM MUST BE CONSIDERED AND WE WERE NOT GOING TO PUT UP WITH AGGRESSION AND GANGSTERISM. PAKISTAN'S AGGRESSION HAD BEEN ESTABLISHED AND YET WE WERE BEING ASKED TO CONTRIBUTE TO THE SOLUTION ON SOME VAGUE BASIS OF GENEROSITY. WE HAD ACCEPTED COMMISSION'S CEASEFIRE RESOLUTION WHILE PAKISTAN HAD REJECTED IT. THERE WAS NOTHING MORE TO BE DONE ON OUR SIDE IN THIS RESPECT. BEVIN SAID HE WAS NOT FAMILIAR WITH ALL THE FACTS. HE CAME INTO THIS BUSINESS BECAUSE MATTER WAS BEFORE THE SECURITY COUNCIL AND HE WOULD LIKE TO SEE A SETTLEMENT. CRIPPS SAID THAT PRIMARY EFFORT MUST BE TO GET PAKISTAN TO ACCEPT U.N. COMMISSION'S RESOLUTION ON CEASEFIRE AND TRUCE. NOEL BAKER SAID THAT SINCE COMMISSION WOULD SOON BE REPORTING WE MIGHT AWAIT THEIR REPORT. FINALLY I WAS ASKED WHETHER

1 Ernest Bevin—Foreign Secretary in Attlee Government
2 Sir Stafford Cripps—Chancellor of the Exchequer in Attlee Government

I COULD MEET LIAQUAT ALI KHAN. I REPLIED THAT I DID NOT SEE MUCH GOOD COMING OUT OF SUCH A MEETING. WHEN ASKED WHETHER MEETING COULD DO ANY HARM I SAID PROBABLY NOT AND I HAVE NO OBJECTION TO IT. IT IS PROBABLE THEREFORE THAT MEETING MIGHT BE ARRANGED BETWEEN ATTLEE, BEVIN, LIAQUAT ALI KHAN AND ME. I DO NOT EXPECT ANYTHING TO COME OF THIS AND YOU NEED NOT POSTPONE ANY ACTION BECAUSE OF IT. SUCH ACTION SHOULD BE JUDGED ENTIRELY BY LOCAL CONSIDERATIONS AND POSSIBILITIES.

3. PLEASE PASS COPY TO SARDAR PATEL AND DEFENCE MINISTER.

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CABLE

20 October 1948

Primindia London
Foreign New Delhi

FOR PAI[1] FROM JAWAHARLAL NEHRU. YOUR TELEGRAM TO BAJPAI DATED 18 OCTOBER. HAVE ALREADY SENT TELEGRAM ABOUT KASHMIR AND COMMONWEALTH POSITION. AM MEETING LIAQUAT ALI KHAN TONIGHT AT DINNER WITH ATTLEE.

2. HYDERABAD ISSUE.

WE HAVE INFORMED SECURITY COUNCIL THAT WE CONSIDER THIS ISSUE AS ENDED AND IT IS NOT NECESSARY FOR OUR REPRESENTATIVE TO APPEAR BEFORE IT. [Sir Ramaswami] MUDALIAR WILL THEREFORE SOON RETURN TO INDIA. PRESUMABLY MATTER IS STILL FORMALLY ON SECURITY COUNCIL AGENDA LIKE MANY OTHER MATTERS WHICH HAVE CEASED TO HAVE ANY SIGNIFICANCE. WE MAY TAKE FURTHER ACTION ABOUT THIS LATER.

3. COMMONWEALTH CONFERENCE HAS DEALT WITH ECONOMIC FOREIGN POLICY AND DEFENCE MATTERS. ALSO MACHINERY FOR CONSULTATION BETWEEN COMMONWEALTH MEMBERS. PLEASE PASS COPY TO SARDAR PATEL AND GOPALASWAMI AYYANGAR.

[1] A. V. Pai, ICS, Principal Private Secretary to Prime Minister

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EXTRACT FROM LETTER FROM JAWAHARLAL NEHRU TO SARDAR PATEL

Paris
27 October 1948

Both Hyderabad and Kashmir have troubled people a lot here and in London. It is recognised, of course, that the Hyderabad affair is over from the international point of view. It was very fortunate that we could dispose of it rapidly. Otherwise reactions would have been very much adverse to us as it is difficult to explain everything and the simple fact of a large country attacking a small one impressed people unfavourably. So far as Kashmir is concerned, I think it is generally recognized that our case is a good one; nevertheless this business of a plebiscite and the conditions governing it fills people's minds. Of course people cannot get rid of the idea that Kashmir is predominantly Muslim and therefore likely to side with Muslim Pakistan. They say that if it is agreed that there should be a plebiscite, why is there any difficulty in having a ceasefire and truce? Liaquat Ali has laid stress on one fact only, i.e. that the conditions of the plebiscite should be fixed now and then he will gladly agree to the ceasefire, etc., in accordance with the UN Commission's resolution. He says those conditions should be according to the Security Council's resolution. I have made it clear that we cannot accept this for obvious reasons. The next suggestion is to come to some other agreement about the conditions. I do not think all this will lead to anything at present at least. We cannot possibly agree to any outside intervention in the Government of Kashmir.

I am mentioning all this to you just to keep you in touch with the developments here. I might mention also that the position I have taken up about Kashmir is either a full acceptance of the UN Commission's resolution on ceasefire, or a partition on the lines we have previously talked about, i.e. Western Poonch, etc., Gilgit, Chitral, most of Baltistan, etc. to go to Pakistan. Neither of these is acceptable to Liaquat Ali.

The whole point I should like to impress upon you and my colleagues is that the Kashmir affair as well as Hyderabad developments are being very closely followed in other countries, though

they may not say much about them. They follow them in order to judge of what India stands for and is going to be. We have therefore to keep this fact in mind in regard to any steps that we take in both these places.

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CABLE

27 October 1948

Prime Minister India Paris
Foreign New Delhi

JAWAHARLAL NEHRU FOR PAI. PLEASE COMMUNICATE FOLLOWING TO SARDAR PATEL, DEFENCE MINISTER AND GOPALASWAMI AYYANGAR. BEGINS: HAVE DISCUSSED KASHMIR SITUATION WITH LIAQUAT ALI KHAN, ATTLEE AND BEVIN JOINTLY AND SEPARATELY WITH ATTLEE, BEVIN AND STAFFORD CRIPPS. THESE DISCUSSIONS HAVE YIELDED NO RESULTS AND HAVE LEFT THINGS AS THEY WERE. I DO NOT THINK ANYTHING ELSE CAN BE DONE HERE AT THIS STAGE. PROBABLY REPORT OF UNITED NATIONS COMMISSION ON KASHMIR WILL COME OUT SOON.

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New Delhi
21 December 1948

My dear Vallabhbhai,

The Pakistan Press has been full of comments on what you are alleged to have said in Jaipur. I enclose one such comment. I think something should be said to clear this up. Perhaps a part of your speech can be published or some brief statement, whichever you consider proper.

Yours,
Jawaharlal

The Hon'ble Sardar Vallabhbhai Patel

ENCLOSURE

PATEL SABOTAGING EFFORTS AT INTER-DOMINION AMITY
SHAHABUDDIN CONDEMNS JAIPUR STATEMENT
SARDAR CANNOT INTIMIDATE PAKISTAN
APPEAL TO PEACE-LOVERS TO WORK FOR GOODWILL

Karachi 18 Dec.: On his attention being drawn to the speech made at Jaipur by the Deputy Prime Minister of India regarding refugee rehabilitation, Khwaja Shahabuddin, Minister of the Interior in the Pakistan Government, stated in an interview here today that Sardar Patel's statement, coming as it did immediately after the inter-dominion conference at Delhi, was particularly unfortunate and could have no effect other than that of sabotaging the efforts of those who only recently examined at Delhi, at such considerable length, the problem of minorities in Pakistan and India, including that of the Hindu minority in East Bengal.

Khwaja Shahabuddin, however, hoped that the lovers of peace in the two dominions would not be discouraged by such utterances and would continue to work for promoting goodwill between the two dominions and ironing out mutual problems amicably. He added: "It would, however, be best for all concerned if Sardar Patel realises that statesmen who work for peace and goodwill do not employ the tone and the language used by him at Jaipur. If he thought that by using such language he could intimidate Pakistan, he was grievously mistaken."

Referring to the minorities, Khwaja Shahabuddin stated that Sardar Patel must be knowing full well that they were much better off in Pakistan than in India and therefore Sardar Patel's remarks that the minorities in East Bengal must be assured that their lives would not be in danger in Pakistan, were uncalled for. It was an incontrovertible fact that in Eastern Pakistan there was no communal riot, but unfortunately in India several communal riots took place in which a number of Muslims were killed.

As regards the reference made by the Deputy Prime Minister of India to the exodus of Hindus from East Bengal, Khwaja Shahabuddin said that Sardar Patel was fully aware that the extent of exodus and causes responsible for it were quite different from what was being stated in a section of the Indian Press.—API.

Pakistan Times
Lahore
20-12-48

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New Delhi
21 December 1948

My dear Jawaharlal,

Thank you for your letter dated 21 December 1948. I have separately sent you a monitored report of a broadcast on the Azad Kashmir Radio. I have also referred in that letter to the distorted and mischievous comments which the Pakistan Press has made on my Gwalior speech. It seems to me that Pakistan Press is determined to twist and distort anything that I say and to exploit it for its own nefarious purpose. I do not think, therefore, that any statement from me would be of any use.

2. However, I have separately sent to Gopalaswami an extract of my speech which has been commented upon in the cutting enclosed by you and to which Ghulam Mohammad[1] had referred in his telephone message to Gopalaswami. Gopalaswami has sent it to Ghulam Mohammad and has probably already issued it to the Press. I think that should be adequate.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Pandit Jawaharlal Nehru
New Delhi

198

New Delhi
21 December 1948

My dear Vallabhbhai,

Thank you for your two letters of today's date.

What a blood-thirsty extract from the Azad Kashmir Radio you have sent me! I do not suppose it is any good sending this to the Pakistan people because they will deny connection with the Azad Kashmir Radio. Nevertheless I am sending it to Ghulam Mohammad. (See enclosure).

[1] Finance Minister of Pakistan

Pakistan Press and Radio appear almost beyond redemption. Our own Press is certainly much better, but it does not appear to be conducted by very intelligent people. The editors are fairly careful, but the sub-editors allow their pens to run away with them and give sensational headings which are not justified by the context. Your own speech at Jaipur was reported fairly well. But the headlines gave a completely wrong impression of what you had said. Many people go by the headlines. You will have noticed that the foreign Press people also went by these headlines and sent messages accordingly to their papers abroad.

Yours sincerely,
Jawaharlal

The Hon'ble Sardar Vallabhbhai Patel

ENCLOSURE

New Delhi
21 December 1948

My dear Ghulam Mohammad,

I notice that there has been a great deal of fuss about a speech Sardar Patel delivered in Jaipur. Shahabuddin [Minister of Interior, Pakistan] has issued a statement on it and the Pakistan papers have also had much to say. I was very much surprised at this, as not only I but the people present there at the time did not notice anything of the kind criticised in his speech. Newspapers have a habit of giving sensational headlines which have no bearing on the text of the speech. As a matter of fact Sardar Patel said something the very opposite of what he is supposed to have said. Instead of using any threats, he laid stress on a peaceful settlement of our problems with Pakistan. I believe Gopalaswami Ayyangar has sent you a copy of the relevant extract from his speech.

I do not wish to enter into a controversy about our respective Presses. But I must say that the Pakistan Press, in referring to Sardar Patel as well as others, uses the most intemperate and objectionable language. So does the radio sometimes.

I understand that the Azad Kashmir Radio is under the control of the Pakistan Government and is run by Pakistan officers. The enclosed extract from the Azad Kashmir Radio programme is a specimen of the kind of stuff

they broadcast. (See enclosure with Sardar's letter to Pandit Nehru of 21 December 1948.)

Yours sincerely,
Jawaharlal Nehru

The Hon'ble Mr. Ghulam Mohammad
Finance Minister
Pakistan Government
Karachi

Copy to: The Hon'ble Sardar Vallabhbhai Patel

199

New Delhi
21 December 1948

My dear Jawaharlal,

You will be interested in the attached monitored report of a broadcast on the Azad Kashmir Radio. The Azad Kashmir Government is under the control of the Pakistan Government. As far as we are aware, their whole publicity is being conducted by officers lent by the Pakistan Government. The Pakistan Press has indulged in a similar vein, though in less strong language, in commenting on my Gwalior speech in which I exhorted the audience to treat loyal Muslims on the footing of brotherhood.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Pandit Jawaharlal Nehru
New Delhi

ENCLOSURE

EXTRACT FROM "AZAD KASHMIR" RADIO (TRARKHEL) KASHMIR PROGRAMME 19.30 HRS. DATED 19 DECEMBER 1948
SARDAR PATEL EXPOSED

Sardar Vallabhbhai Patel—the enemy of freedom and democracy, the guardian of cold-blooded nationalists of India, the dictator of the Indian National Congress, the hated enemy of democracy and freedom—his very name evokes hatred for him in the hearts of the Muslims.

Speaking at the annual session of the Indian National Congress, Sardar Patel declared: "We will not allow our Government to go communalist or religious. Under our regime, every individual shall have equal opportunity for self-advancement and progress." Such words from the mouth of Sardar

Vallabhbhai Patel sound strange. He is the guardian of communalists, he is the man who patronized the RSS, who tried to annihilate the followers of Islam and who compelled nearly 7,000,000 Indian Muslims to leave for Pakistan. It was his communalist and factious outlook that led to the disintegration of India. It is he who distributed arms amongst the Hindus and Sikhs to massacre Muslims. Sardar Vallabhbhai Patel is a savage and cold-blooded human being. He has stated that the Indian Government is guided by principles of equality. This "enemy of Islam and India" talks of equality in his country, where the heads of lakhs of Muslims were treated like footballs and where lakhs of Muslims were forcibly converted. Hindu capitalists are seen enjoying, while the life of Muslims has been made impossible. In the cities and villages of India, Muslims are being massacred. This is the condition of Muslims! In his attitude towards Pakistan, he has once again revealed his prejudiced mind and the spirit of vengeance. His lust for power has gone into his head. He loves cruelty and oppression and is an avowed enemy of freedom. His utterances are full of lies. He is a man who can never be trusted. "Islam Zindabad."[1]

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Amar Mahal
Jammu-Tawi
10 January 1949

My dear Manibenji,

I have not been able to write to you earlier as I had been much busy with the refugee relief work which got much accumulated due to my absence from Jammu in October-November.

Through the efforts of Sardarji I have been able to alleviate the troubles of the refugees to a great extent and we are all so very grateful to him.

Captain Kanwal Singh [ADC to the Maharaja] is coming to Delhi for some discussions and as desired I am sending herewith a recipe for preparing pickle which I hope you will find quite useful.

We are confident that Sardarji and you are keeping well. Kindly convey kindest regards to him from both of us.

The Yuvraj is maintaining his progress and is now able to walk with one cane. We hope that he will be back with us towards the end of February perfectly well.

With kindest regards,

Yours sincerely,
Tara Devi

1 Long live Islam.

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New Delhi
12 January 1949

My dear Maharani Saheba,

Thank you for your letter of 10 January 1949 and for the recipe, which I shall try when I have some leisure. I am sure the result would be satisfactory.

I am very glad to hear that you have been able to do such good work for refugee relief and hope that it would be possible for you to keep it up.

We are also pleased to hear about the satisfactory progress of the Yuvraj. Shri Mehrchand Mahajan told us yesterday that he hopes to come here by the end of February. I am sure you must be looking forward to his return and to meeting him after such a long time.

With kindest regards,

Yours sincerely,
Maniben Patel

Her Highness the
Maharani Saheba of Jammu & Kashmir
Amar Mahal
Jammu-Tawi

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Bardoli
17 January 1949

My dear Jawaharlal,

You must have seen Kripalani's report from Karachi dated 15 January 1949. In that report he has referred to an extempore poem recited by the Saudi Arabian Minister Plenipotentiary. It appears that he called the Kashmir war a Jehad[1] and drew a very objectionable analogy between the fight in Kashmir and the battle of Badr.[2] I feel that this misbehaviour should be brought

[1] Holy war
[2] Holy war in Islamic history

to the notice of the Saudi Arabian authorities through our Consul-General.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Pandit Jawaharlal Nehru
New Delhi

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New Delhi
21 January 1949

My dear Vallabhbhai,

Your letter of the 17 January about a certain poem which the Saudi Arabian Minister recited in Karachi. We have no Consul-General in Saudi Arabia. We have only a Consul at Jedda for the pilgrims. His status is not high enough to take any such action. We are, however, communicating with our Ambassador in Cairo to register our protest with the Saudi Arabian Government through their Ambassador in Cairo. We are also asking our High Commissioner in Karachi to inform the Saudi Arabian Minister there of the action we are taking.

Yours,
Jawaharlal

The Hon'ble Sardar Vallabhbhai Patel
c/o His Highness the Maharaja of Jamnagar
Jamnagar

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New Delhi
3 February 1949

My dear Vallabhbhai,

I have spoken to you already about the necessity of our having some first-class man here to look after Kashmir affairs, more especially with the possibility of a plebiscite etc. Kashmir is a highly intricate problem and we play for high stakes there. We cannot afford to do this work in an inadequate and second-rate manner. I have given a great deal of thought to this matter and cannot think of a suitable person. I mentioned [B.K.] Gokhale[1] to

1 Senior ICS officer

you. He is good in his way, a solid conscientious, hard-working individual, but not exactly the kind of man for this job. Any way I am told he is ill and wants four months' leave.

I was thinking if it was possible for H. M. Patel[1] to be relieved of his present work in the Defence Ministry and to undertake this Kashmir business for the next few months. He would be first-rate.

There are two other highly important matters which require immediate attention. One is food. As we discussed this morning, we must set up some high-powered authority to deal with this food business. Again, the whole economic set-up requires, I think, a closer day-to-day [review] in a variety of Ministries. For this also H. M. Patel would be eminently suitable.

I should like you to consider this and we can talk about it later.

Yours,
Jawaharlal

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

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EXTRACT

New Delhi
4 February 1949

My dear Jawaharlal,

Thank you for your letter dated 3 February 1949. I entirely agree that the problems to which you refer require very careful consideration. A separate secretariat set-up to look after Kashmir affairs, with particular reference to plebiscite and other relevant matters, is absolutely necessary. We ourselves have been feeling its necessity and have given some thought to it. I contemplate the appointment of an Officer on Special Duty in the States Ministry of the status of Secretary. He can be given suitable assistance in the matter of his staff etc. for the discharge of his duties. But the problem is of personnel. It would be a whole-time job and it will not be possible to combine it with any other job. There is so much dearth of really good officers. Whenever we have to think of these things, it merely means a permutation or combination

[1] Secretary, Defence Ministry

amongst a handful of the officers available for important appointments. Addition or supplementing from outside becomes a baffling problem.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Pandit Jawaharlal Nehru
New Delhi

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New Delhi
17 February 1949

My dear Gopalaswami,

I am sending herewith a copy of a telegram which I have received from Jammu regarding the arrest of some prominent non-Muslims and another of a report of a visit to Jammu by two Members of the Constituent Assembly. I presume the arrests are in preparation for a plebiscite as also the agitation regarding the abdication of the Maharaja. Jammu and Kashmir, however, seems to be an independent State and the Government of India appear to have abdicated their functions in advance of the abdication of the Maharaja!

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Mr. N. Gopalaswami Ayyangar
Minister of Transport and Railways
New Delhi

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TELEGRAM

Jammu-Tawi
15 February 1949

Hon'ble Deputy Prime Minister of India
New Delhi

THE UNWARRANTED ARRESTS OF PANDIT PREMNATH DOGRA[1] MLA SHYAMLAL SHARMA THAKAR DHAWANTARSINGH MLA SHIVRAM GUPTA SHIVNATH NANDA AND OTHERS HAVE CREATED ALARMING [situation]

1 Founder of Praja Parishad, a political organisation primarily of Hindus in Jammu

THROUGHOUT THE STATE. WIDESPREAD RESENTMENT BEING EXPRESSED THROUGH HARTALS RESOLUTIONS AND DEMONSTRATIONS. PRAY INTERVENE.

PRESIDENT, PRAJA PARISHAD

208

New Delhi
25 March 1949

My dear Gopalaswami,

It appears from the latest report of our Deputy High Commissioner in Lahore that refugees from Kashmir are stranded at Lahore. They include a number of women and children without any adult male member as also some composite families. It appears that, in the absence of an inter-dominion agreement, it will not be possible to evacuate them. I should like to suggest that we might make an attempt to arrive at an agreement on this point as quickly as possible so that we may try to rescue these people from their present plight with the least possible delay.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Mr. N. Gopalaswami Ayyangar
New Delhi

209

New Delhi
14 April 1949

My dear Gopalaswami,

You will be interested in the attached monitored version of a broadcast from Azad Kashmir Radio on 11 April 1949. This comes after the last inter-dominion conference on publicity and information which was held in Karachi some time last month and at which, I understand, a reference was made to previous instances of such broadcasts.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Mr. N. Gopalaswami Ayyangar
New Delhi

ENCLOSURE

11/12 April 1949

Vallabhbhai Patel, the dictator of India, . . . on whose account the life of Muslims in India has been made impossible, whose existence is a great danger to the Muslims, who knows nothing except how to . . . asked the Muslims to . . . so that they might sacrifice their lives, so that they might render their children orphans, turn their homes into houses of mourning, find place for themselves in graveyards and . . . have their hearts pierced through by bullets, so that they might play their lives into the hands of foreign masters. To have his regime established Patel was the first man to preach unity among the people in the name of national strength. By taking recourse to pretended hatred for . . . Patel fixed firmly the . . . of his regime. . . . To achieve his ends he made a dictator out of each one of the Congress leaders. . . . He is not today the same Vallabhbhai Patel who gave promises of religious freedom and prosperity to the people, nor do those promises of his survive any longer. He is no longer a leader now, but a dictator, his are not appeals, they are orders which have to be carried out, at whatever cost. . . . He exposed himself in true colours before the people. . . .

The leaders of the so-called responsible Congress said that after the British quit India the country would be free in the true sense of the word, everyone would have the freedom to demand his rights; but the policy adopted by the Government shows how far their promises were true. The recent proof given in the Indian Parliament of political freedom in India indicates what freedom is enjoyed by people in India under Vallabhbhai Patel. Patel disclosed recently in the Indian Parliament that 4,000 Communists had been arrested in Hyderabad. Vallabhbhai Patel should remember that by arresting 4,000 people. . . . [Talk headed 'Exposition' broadcast by "Azad Kashmir" Radio]

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New Delhi
17 April 1949

My dear Vallabhbhai,

Two days ago, H. V. R. Iengar [Home Secretary] sent me a copy of a report of one of our intelligence officers who had been sent to Kashmir. This report was a very interesting and revealing document. There was nothing very new in it, in the sense that

we did not know, but still it brought out certain important points. I sent this report to Gopalaswami Ayyangar, who will return it to H. V. R. Iengar.

In this report, among other things, a reference was made to a growing Hindu agitation in Jammu province for what is called a zonal plebiscite. This idea is based on the belief that a plebiscite for the whole of Kashmir is bound to be lost and therefore let us save Jammu at least. You will perhaps remember that some proposal of this kind was put forward by the Maharaja some months back. It seems to me that this kind of propaganda is very harmful indeed for us. Whatever may happen in the future, I do not think Jammu province is running away from us. If we want Jammu province by itself and are prepared to make a present of the rest of the State to Pakistan, I have no doubt we could clinch the issue in a few days. The prize we are fighting for is the valley of Kashmir.

This propaganda for a zonal plebiscite is going on in Jammu, in Delhi and elsewhere. It is carried on by what is known as the Jammu Praja Parishad. Our intelligence officer reported that this Praja Parishad is financed by the Maharaja. Further, that the large sums collected for the Dharmarth Fund[1], which are controlled by the Maharaja, are being spent in propaganda for him. All this is resulting in producing a most peculiar and unfortunate situation.

We know that Sheikh Abdullah and some of his colleagues have been very unwise in their public remarks and they have improperly criticised the Maharaja and asked for his removal. I had a long talk with Abdullah last night and again pointed out to him very forcefully how unfortunate and wrong his attitude was in this particular matter and how it was creating difficulties not only for us but for himself. He repeated his old complaints, which included the very facts that our intelligence officer has stated. He promised that he would say nothing about the Maharaja in future, but he was very unhappy about it.

This morning Cariappa came to see me. He has recently been to Jammu and Kashmir and he gave me his report. He said that this tussle between the Maharaja and Sheikh Abdullah was having a very bad effect not only in the State but in the Army. He said that the Maharaja's brother-in-law was openly carrying on a campaign against Sheikh Abdullah and his Government and issuing pamphlets of this kind. It was not for him to judge, he

[1] Fund set aside (by Maharaja) for charitable purposes

added, who was to blame in this matter, but the consequences were bad.

The consequences are undoubtedly bad and I feel that it is no longer safe for us to allow matters to drift. You will remember that we discussed this matter fully some time ago in your house. Gopalaswami Ayyangar and others were present. Ultimately we came to the conclusion that the proper course to adopt was for us to take the attitude that it was for the people of Kashmir in the Constituent Assembly to decide about the future of the Maharaja. But even now it was highly desirable that the Maharaja should take some kind of leave and not remain in Kashmir. It was proposed to put this matter to the Maharaja and to ask him to come to Delhi for the purpose. As he has not been here since then, I suppose nothing has been done. Meanwhile, the situation deteriorates and an open conflict is going on in the State between the adherents of the Maharaja and the adherents of Sheikh Abdullah.

This conflict gets mixed up with relief work, which is conducted on communal lines. In the intelligence report mention was made of the Yuvraj getting mixed up with this business. This will be unfortunate, as the Yuvraj is fairly popular at present. If he gets tied up with these conflicts, he will also become unpopular.

The next two or three months are going to be rather critical in regard to Kashmir and many possible developments may take place. We have to be ready for all of them in so far as we can. But that readiness for developments will be powerfully affected by this growing and open conflict between the Maharaja and Abdullah. I think that we should seize ourselves of this matter, in the manner suggested previously, and take steps accordingly. As I am going away day after tomorrow, I wanted to put this to you so that you might consider it. I am rather anxious about it and feel very much that something should be done.

I am sending a copy of this letter to Gopalaswami Ayyangar.

Yours sincerely,
Jawaharlal

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

New Delhi
18 April 1949

My dear Jawaharlal,

Thank you for your letter of 17 April 1949.

I think, as we all realise, the problem of the Maharaja and Sheikh Sahib is bristling with difficulties and we cannot say that only one side is to be blamed. As the report makes clear, Sheikh Sahib's administration has adversely affected so many interests that it is impossible to lay the entire blame for the feeling of discontent and restiveness on one individual. The report which the intelligence officer has made contains more than one disquieting feature. Of these, the problem of the Maharaja is one of the most important, and I agree that it requires to be tackled urgently. I am glad you have found the report interesting and revealing and have passed it on to Gopalaswami Ayyangar. None of the problems raised in that report is new, nor is the information given anything exclusive. We have to tackle all of them in a short time and the sooner we do it the better.

You seem to be under the impression that nothing has been [done] to follow up the discussion we had last time about the Maharaja. I have already sent three or four messages to him to come here. About four or five days ago, his Assistant Private Secretary [Captain Kanwal Singh] was here. Shankar impressed upon him the urgent necessity of his [the Maharaja] coming here as quickly as possible, but there has been no response so far. Shankar was told that the Maharaja had commitments and that he would come here in the second week of May. A message was then sent to His Highness that he should come here some time this week at the latest. I have a feeling that His Highness has got scent somehow of what is impending and he is averse to facing the ordeal. This is quite in keeping with his characteristics as we know them. I am sending him a rather peremptory telegram which, I hope, will help him to come to a decision about coming here soon.

As regards relief work, I believe Thimayya has told you about the plight of non-Muslim refugees in Srinagar. You will recall that we had to intervene at your instance in regard to non-Muslim

refugees in Jammu province and to set up a separate camp at Nagrota. It seems no one cares or looks after Srinagar refugees; in that case, somebody must look after them. Why should they then [complain] that relief work is being conducted on communal lines?

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Pandit Jawaharlal Nehru
New Delhi

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TELEGRAM

New Delhi
18 April 1949

His Highness
Maharaja of Jammu and Kashmir
Jammu

I HOPE YOUR HIGHNESS RECEIVED MESSAGES SENT BY SHANKAR ON MY BEHALF [by] TELEGRAM AND THROUGH YOUR ASSISTANT PRIVATE SECRETARY ABOUT NECESSITY OF YOUR COMING AS EARLY AS POSSIBLE. I AM SORRY TO NOTE THAT THERE HAS BEEN NO RESPONSE FROM YOUR HIGHNESS SO FAR. MATTERS WHICH I PROPOSE TO DISCUSS WITH YOU ADMIT OF NO DELAY AND I SHOULD THEREFORE BE GRATEFUL IF YOU COME HERE AS SOON AS POSSIBLE THIS WEEK.

VALLABHBHAI

CHAPTER XVI

ABDULLAH FOR INDEPENDENT KASHMIR

213

New Delhi
1 May 1949

My dear Gopalaswami,

You have probably seen the interview by Sheikh Sahib to Michael Davidson which was published in the Scotsman of 14 April 1949. A vehement exponent of accession to India seems to have been converted to an "independent Kashmir." He wants absentee landlords, most of whom have gone to Pakistan, to be expropriated. At the same time, he has got, according to the information brought here by Sethi of the Agriculture Ministry, large tracts of valuable irrigated lands vacant lest non-Muslims should settle down on them, and this is at a time when elsewhere we are asking for every inch of land to be cultivated. [See enclosure]

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Mr. N. Gopalaswami Ayyangar
New Delhi

ENCLOSURE

EXTRACT FROM A REPORT OF AN INTERVIEW WITH SHEIKH ABDULLAH BY MICHAEL DEVIDSON PUBLISHED IN THE SCOTSMAN

"Accession to either side cannot bring peace," he [Sheikh Abdullah] declared. "We want to live in friendship with both Dominions. Perhaps a middle path between them, with economic co-operation with each, will be the only way of doing it. But an independent Kashmir must be guaranteed not only by India and Pakistan but also by Britain, the United States and other members of the United Nations. . . . ."

"Yes, independence—guaranteed by the United Nations—may be the only solution. But why do you talk of partition? . . ."

"During the communal riots in the Punjab after partition, we tried in our humble way to stem the wave of fanaticism. That is why I urged we should wait before deciding our affiliation. I pleaded with both Dominions to help us first to win internal emancipation before asking us to choose! India replied by refusing to make a standstill agreement with the Maharaja; Pakistan did so. When, during the crisis India accepted the Maharaja's accession, Pandit Nehru insisted that it was only provisional and that the people must decide later. . . ."

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New Delhi
11 May 1949

My dear Rajaji,

I had a talk with you the other day about the Maharaja of Jammu and Kashmir. I am sending herewith a copy of the letter (6 May 1949) which I have received from him. [See enclosure with No. 216.]

Yours sincerely,
Vallabhbhai Patel

His Excellency Shri Rajagopalachari
Governor-General of India
Government House
New Delhi

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New Delhi
1 May 1949

My dear Sardarji,

I have just received your letter about the interview given by Sheikh Abdullah to Michael Davidson of the Scotsman. My attention was drawn to the contents of this interview earlier in the day. It is a most astonishing performance. Kachru, who is going to Kashmir tomorrow, has just been to see me, and I am sending a message through him to Sheikh Abdullah. I have asked him to tell the latter that I condemn the Sheikh's action and that I feel that what he has told Michael Davidson and what the latter has published will have the most serious and mischievous consequences both in India and abroad. I have asked him to inform the Sheikh that, reading between the lines, I suspect a plan, the first step of which is this blessing by the Premier of Kashmir of the

idea of an independent Kashmir and this public expression of his conviction that accession to India will not bring peace, and the final step of which may well be perhaps one of the greatest betrayals in history. He will also be told that India will expect him publicly to repudiate some of the things attributed to him by Michael Davidson.

It is all so distressing.

Yours sincerely,
N. Gopalaswami

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

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New Delhi
11 May 1949

My dear Jawaharlal,

You will recall that, just before you left for the UK, you wrote to me regarding His Highness the Maharaja of Kashmir. I sent for His Highness who has been here since 28 April. I had a talk with him on 29 April and 1 May, when I explained to him the whole position and commended to him my view that, in the circumstances of his relations with the Ministry and the situation created by the reference to UNO and the plebiscite issue, it would be best for him to absent himself from the State for some time and to make the Yuvraj Regent. Both of them [Her Highness was also present] were visibly taken aback by this proposal, and I could notice that there was a sense of shock and bewilderment at the end of my discussion with them on 29 April. However, I asked him to reflect over the matter. I asked Shankar also to have a talk with him, and he had two or three long discussions both with His Highness the Maharaja and Her Highness separately. They now seem to be reconciled to the proposal, and I send herewith a copy of the letter which I have received from His Highness and which would require our very careful and urgent consideration. I suggest that we meet some time tomorrow to discuss our final attitude in this matter. I am, therefore, sending copies of His Highness' letter and of my letter to you and to Gopalaswami.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Pandit Jawaharlal Nehru
New Delhi

ENCLOSURE I

Imperial Hotel
New Delhi
6 May 1949

My dear Sardar Patelji,

With reference to the discussions I had with you on 29 April and 1 May 1949, I have been revolving the matter in my mind and am now in a position to let you have my settled reactions to the proposal in regard to my temporary absence from the State which you put to me.

I should like to say at the outset that I was completely taken aback by this proposal, but coming as it did from you, in whom I have since the very beginning placed implicit trust and confidence and whose advice I have throughout followed on the many questions affecting me personally and my State both in the present and in future, I have been able somehow to adjust myself to it. I would not, however, be human if I did not express my sense of keen disappointment and bewilderment at having been called upon to make such a sacrifice of personal prestige, honour and position when all along I have been content to follow, sometimes even against my own judgment and conscience, the advice in regard to the constitutional position in the State which I have been receiving from the Prime Minister of India or yourself, sometimes even against arrangements which were agreed to only a few months before. Nor would it be fair on my part to conceal from you my own feeling that while Sheikh Abdullah has been allowed to depart, from time to time as suited his inclinations, from the pledged and written word, to act consistently in breach of the loyalty which he professed to me prior to his release from jail and the oath of allegiance which he took when he assumed office, and to indulge openly along with his colleagues in a campaign of vilification and foul calumny against me, both inside the State and outside, I should have had to be driven from position to position—each of which I thought I held on the advice of the States Ministry.

The contrast naturally fills me with poignant feelings. However, once again putting my complete trust in your judgment and benevolent intentions towards us, I might be prepared to fall in with your wishes and to absent myself from the State for a period of three or four months in consideration of the fact as emphasised by you, namely, complications created by the reference to UNO and the plebiscite issue.

There are, however, certain questions arising out of this proposal on which I would venture to make my position clear to you and on which I

would be grateful to have your assurance. I hope you will kindly appreciate the necessity of my seeking these assurances. I have to think of the immediate future in the light of my bitter experiences of the last several months and I owe it to myself, my family and dynasty to procure a clear declaration in respect of these matters:

1. I should like to be assured that this step is not a prelude to any idea of abdication. I should like to make it clear now that I cannot entertain the latter idea even for a moment and am fully prepared to take the consequences. I regard such a demand from my Prime Minister and his colleagues as a clear breach of the many understandings on which constitutional arrangements have been based from time to time and a positive act of his disloyalty, treachery and deception.

2. Sheikh Abdullah should be clearly told to stop the campaign of vilification against me and to abandon all activities, both on his part and that of his followers, aimed at securing my abdication. I feel that the sacrifice which I am being called upon to make would be in vain if I continued to be the target of their public and private attacks.

3. There should be a clear assurance of protection of myself and my adherents against any victimisation. In this connection I should like especially to draw your attention to the facts that have been reported to me about persons having been detained in jail for their failure to sign for my abdication.

4. The question that I should remain out of the State for three or four months for reasons of health, will, I am afraid, not be believed by anybody and is likely to give rise to many misgivings and speculations within and outside the State as

(i) everybody knows that I am not in such a state of health as would necessitate a long rest outside the State. I have, on your advice, been recently touring parts of Jammu province in the heat of April;

(ii) for everybody in bad health Kashmir is considered to be the best health resort and it will certainly look strange if I went outside the State giving out that I am doing so for reasons of health;

(iii) wherever I take [up] my temporary residence I cannot confine myself to the four walls of the house. I am bound to meet people, who, when they meet me, will never believe that I am staying there for reasons of health;

(iv) some other reason which may be plausible and may also at the same time not compromise my dignity and position should be given out. The best thing would be that the Government of India should find a suitable position for me in Delhi where my services may be utilised in a fitting manner during the above period of 3 to 4 months.

5. It is a matter of paramount necessity that Her Highness should remain with the Yuvraj in the State during the period of my absence. He is young and impressionable and requires paternal guidance and personal supervision of at least one of his parents. I can see no reason either of political expediency or justice in insisting on the separation of a mother from her only child, whom she is seeing after thirteen months of absence abroad. Considerations of humanity alone should suffice to rule out this altogether.

6. My private estates, houses and other property should be protected against the aggressive acts of Sheikh Abdullah's party. They will attempt to take possession of my houses, gardens, lands and other property. The Indian Dominion should guarantee against that act of aggression. While I am there they dare not do these things, but in my absence they will attempt this. I have received information that even during the last few days, after I left Jammu for Delhi, encroachments have been made on my lands at Srinagar.

7. No change should be made without my consent in the present arrangements regarding the State forces or the constitutional position, prerogatives, etc., of the Ruler as now subsisting. Arrangements will continue for me to draw my staff (both State and Private Deptts.) from amongst officers of my forces, guards mounted by my forces at my palaces will also continue as at present as per agreement reached, *vide* my letter of 30 August and Mr. [V. P.] Menon's reply of 3 September thereto. I shall also take whatever staff etc. I require with me outside.

8. I should be entitled during my stay in India to suitable strength of military guards wherever I stay.

9. Yuvraj's safety and protection should be the concern of the Indian Dominion. State and Indian military should guard his person.

10. Outstanding matters with the State Ministry, Civil Lists, Hazur Departments,[1] etc., should be decided with me immediately.

In conclusion I wish to say that I shall take the final decision on getting assurances from you on the points above mentioned.

With kindest regards,

Yours very sincerely,
Hari Singh

1 Departments under personal control of Maharaja

ENCLOSURE II

Dehra Dun
23 May 1949

My dear Maharaja Sahib,

Thank you for your letter dated 6 May 1949.

2. I am very glad to know that Your Highness has reconciled yourself to the proposal which I put forward at my discussion with you. It was with no light heart that I did so. None can be more cognisant than myself of the attitude which Your Highness has adopted ever since you signed the Instrument of Accession. I am grateful to Your Highness for the spirit of co-operation and understanding which you have always extended to me and also for the kind sentiments which you have expressed. I can assure Your Highness that, before putting forward my proposal, I had, after careful consideration, come to the conclusion that the interests alike of Your Highness, the dynasty and the country demanded the step which you have now agreed to take. I know full well the personal sacrifice involved in it, but I am sure, along with so many other changes to which Your Highness has accustomed yourself, you will undertake this step also with a sense of duty to your country and in a spirit of calm resignation to the superior dictates of events.

3. Regarding the points which Your Highness has referred to me, I should like to state that the question of Your Highness' abdication does not arise. We have made the position quite plain to Sheikh Mohammed Abdullah, and we hope there will be an end to the public controversies centring round this matter as well as to the derogatory references to Your Highness in the Press and on the platform in the State. Your Highness will, of course, appreciate that the future constitution of the State would be determined by the duly elected Constituent Assembly. I am afraid, in the absence of any specific instances of victimisation to which Your Highness refers in paragraph 4, it may not be possible for me to give any assurance, but I can tell Your Highness that, if any such instances are brought to our notice, we shall look into them and try to see that justice is done.

4. I appreciate what Your Highness says in regard to the reasons for your remaining outside the State, but I feel that it would be best just to say that Your Highness has decided, after the strain of the last so many months and continued ill-health, to stay out of the State for a few months. The actual period need not be stated.

5. We have carefully considered the question of Her Highness staying with the Yuvraj during your absence, but for a variety of reasons we feel that it

would be best, for the present, for her also to stay away for a while. Later, she can certainly visit the Yuvraj from time to time and the Yuvraj can also visit Your Highness and Her Highness occasionally.

6. We would be grateful if Your Highness would let me have a list of the private estates, houses and other property belonging to Your Highness and referred to in para 6 of your letter. On receipt of the list we shall take up the matter with your Ministry. In the meantime, I hope that, with the understanding that has been reached with Sheikh Mohammed Abdullah on the various controversial issues, he will himself take steps to safeguard Your Highness' property against encroachments. In particular, I hope that the feelings which he entertains for the Yuvraj will succeed in closing the chapter of the past several months and in introducing a healthy change in the approach of both the Government and the National Conference workers to these and other problems affecting Your Highness and the family personally and the dynasty in general. I hope that no need for a change in the arrangements to which Your Highness has referred in paragraph 7 would arise, but should any such need arise, we would of course consult Your Highness. We would also make necessary arrangements for guarding you [and], for the Yuvraj's safety and protection.

7. As regards outstanding matters, we have already informed Your Highness separately that your Civil List has been fixed at Rs. 15 lakhs, out of which Rs. 6 lakhs would be paid by the State and Rs. 9 lakhs by the Government of India during the period of the emergency. Out of this sum, Your Highness will have to make allotment to Her Highness and the Yuvraj. The latter's expenses would, of course, be larger than before on account of his being Regent. I hope Your Highness will agree to make a suitable allowance for him, bearing in mind his needs. I should be glad to know your suggestion in this respect. Similarly, I should welcome Your Highness' proposal regarding Her Highness' allowance. As regards Huzur Departments, Sheikh Sahib has already agreed to our suggestion that an allowance of Rs. 5 lakhs should be made to Your Highness for this purpose. A list of items, which will be controlled by Your Highness, and, during your absence, by the Yuvraj as Regent, has been furnished to Sheikh Sahib, and he has promised to let us have his comments as soon as possible. After his comments are received, we shall finalise the whole matter, but in the meantime Your Highness can make suitable allocations to major and other heads of the expenditure on State Departments from out of the allotment of Rs. 5 lakhs.

With kindest regards,

Yours sincerely,
Vallabhbhai Patel

His Highness Maharaja Sir Hari Singh
Imperial Hotel
New Delhi

New Delhi
18 May 1949

My dear Vallabhbhai,

V. P. Menon showed me your suggestions for correcting Gopalaswami's draft about Kashmir. Those suggestions have been incorporated. I have, however, changed the phraseology somewhat, simply with a view to better drafting. I enclose a copy of the letter which I am sending to [Sheikh Abdullah].

I hope that this will be an end to the squabbles that have been going on in public. This has been impressed upon Sheikh Abdullah and I am pointing this out to him again in a separate letter.

I take it that the Maharaja and the Maharani will keep out of the State, as agreed upon, for some months. The Bombay house will be at their disposal. It would have been better if they had gone out of the country for a period, say two or three months, but that is a matter for them to decide. I do not think any period should be fixed for the Maharaja's absence from Kashmir. The matter had better be left vague.

The Maharani naturally dislikes intensely the idea of being away from her son. I do not think it is necessary for her to be kept absolutely away and she can certainly visit her son later from time to time. But for the present, I think, it would be to the advantage of all concerned, including the Maharaja and the Maharani, for both of them to stay away for a while.

I hope you will explain to the Maharaja and the Maharani as well as the Yuvraj the agreements arrived at between us and Sheikh Abdullah and his colleagues. The written agreement rightly does not say anything about the Maharaja going out of the State. But this was a private assurance given by us and we have naturally to stand by it.

I am thinking of going to Srinagar for two days on Saturday, 28 May.

I shall see you of course next Friday evening at about 7.30.

Yours sincerely,
Jawaharlal

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

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Dehra Dun
23 May 1949

My dear Jawaharlal,

Please refer to your letter of 18 May 1949 and the subsequent discussion we had about Kashmir. I am sending herewith a copy of the letter which I have sent to His Highness the Maharaja in reply to his letter of 6 May, a copy of which I sent to you on 11 May 1949 [See enclosure II with No. 216]. My letter covers all the points to which you have referred relating to the Maharaja and the Maharani.

As regards the Yuvraj, we have had a very detailed talk with him and I have impressed upon him the significance and importance of the agreements reached and the consequences which flow therefrom. He is a sensible lad and I think he appreciated the situation fairly well and realises his responsibilities. He is, of course, still in his teens and would require some guidance. I am looking out for a suitable adviser for him on whose advice he can lean. We shall have to be very careful in the choice of a suitable person.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Pandit Jawaharlal Nehru
New Delhi

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New Delhi
17 May 1949

My dear Sardarji,

Herewith the draft. Jawaharlalji has seen and approved of it.

2. Will you kindly let Jawharlalji know direct as to your approval of it? He will issue the letter to Sheikh Abdullah only after receiving your approval.

Yours sincerely,
N. Gopalaswami

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

ENCLOSURE

New Delhi
18 May 1949

My dear Sheikh Sahib,

In the course of the talks at Sardar Patel's residence on 15 and 16 May 1949 between some of my colleagues and me and you and your colleagues, important issues raised by you in regard to the future of Jammu and Kashmir State were discussed.

2. Among the subjects that were discussed were: (i) the framing of a constitution for the State; (ii) the subjects in respect of which the State should accede to the Union of India; (iii) the monarchical form of government in the State; (iv) the control of the State Forces, and (v) the rights of the citizens of the State to equality of opportunity for service in the Indian Army.

3. As regards (i) and (iii), it has been the settled policy of the Government of India, which on many occasions has been stated both by Sardar Patel and me, that the constitution of Jammu and Kashmir State is a matter for determination by the people of the State represented in a Constituent Assembly convened for the purpose. In the special circumstances of the State of Jammu and Kashmir, the Government of India have no objection to the Constituent Assembly of the State considering the question of the continuance of the association of the State with a constitutional monarchy.

4. In regard to (ii), Jammu and Kashmir State now stands acceded to the Indian Union in respect of three subjects, namely, Foreign Affairs, Defence and Communications. It will be for the Constituent Assembly of the State, when convened, to determine in respect of what other subjects the State may accede.

5. Regarding (iv), both the operational and administrative control over the State Forces has already, with the consent of the Government of Jammu and Kashmir State, been taken over by the Indian Army. The final arrangements in this connection, for the duration of the present emergency, including financial responsibility for the expenditure involved, were agreed to between us on the 16th inst.

6. As regards (v), the citizens of the State will have equality of opportunity for service in the Indian Army. Under Article 10 of the draft of the new Constitution, as passed by the Constituent Assembly of India, equality of opportunity for employment under the State, including employment in the

Indian Army, is declared to be amongst the fundamental rights of all Indian citizens.

7. I trust that the Government of India's position, as stated above, will give you the clarification that you have asked for.

Yours sincerely,
Jawaharlal Nehru

The Hon'ble Sheikh Mohammed Abdullah
Srinagar

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TELEGRAM

Dehra Dun
29 May 1949

Jawaharlal
Srinagar

I LEARN FROM HIS HIGHNESS THAT YUVRAJ'S THREAD CEREMONY IS TO TAKE PLACE IN DELHI ON FIFTEENTH JUNE. IT WOULD THEREFORE NOT BE POSSIBLE FOR HIM TO VISIT SRINAGAR UNTIL AFTER THE CEREMONY. HAS TO BE PERFORMED NOW. OTHERWISE THERE IS NO AUSPICIOUS DATE FOR TWO YEARS.

VALLABHBHAI

221

New Delhi
30 May 1949

My dear Vallabhbhai,

I received your telegram about the Yuvraj's Upanayana[1] ceremony. I informed Sheikh Abdullah. Of course he should stay here for the ceremony. It would be desirable to fix a definite date, soon after the ceremony, for the Yuvraj's going to Srinagar. This will enable suitable arrangements to be made in time.

During my two-day visit to Srinagar, I visited a large number of places and offices. I saw how the transport system is now working, how civil supplies are kept and distributed, co-operative farms with tractors working and the beginnings of some new industries. On the whole I was favourably impressed by the improvement that

1 Sacred thread-wearing ceremony of Hindu boys

had been made since I went there last, more especially in regard to transport and civil supplies.

Srinagar had a more normal air and there were some visitors about too. In fact, about half a dozen of our Ambassadors or other foreign representatives have also gone there. Because of all this, the general economic outlook was somewhat better and I think public feeling had reacted to this.

I met for the first time the Czech representative on the United Nations Commission. I had a very long talk with him, and he struck me as a man of intelligence and strength of character. He appreciated our viewpoint entirely.

Gopalaswami spoke to Sheikh Abdullah about the four representatives for the CA [Constituent Assembly]. In a day or two Vishnu Sahay [Secretary for Kashmir Affairs] will bring Sheikh Abdullah's recommendation of these four names and will then take them or send them to Dehra Dun for the Maharaja's formal endorsement. I hope this will be done soon so that some Kashmir representatives might begin to take part in the CA.

It seems to me very desirable to encourage bona fide tourists to go to Kashmir. This is necessary both from the point of view of the economy of the State and to produce better psychological conditions and normalcy. At present the rules are too difficult. Even wives of senior officers cannot easily get permits, because of the round-about procedure. Of course we have to check undesirables. But a way should be found to permit bona fide people to go there without trouble. I am writing to the Defence Ministry about this.

As I told you, I have promised to go to Leh early in July. On further enquiry I found that the place I am supposed to visit is 25 miles from Leh. This means marching along a mountain path, and is normally two days' march, though it can be done in a day. A visit thus will take longer than I had thought at first. At the same time I discovered that the occasion for this visit is important from the point of view not only of Ladakh but of larger areas all round, including Tibet. There is a big Buddhist fair held at the chief monastry at Ladakh. I think I should go there. Altogether it will mean six days' absence from Delhi from 3 July to the 9th.

Yours sincerely,
Jawaharlal

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

222

Dehra Dun
2 June 1949

My dear Jawaharlal,

Thank you for your letter dated 30 May 1949.

2. I am glad to hear all about your trip to Srinagar. I was somewhat disturbed over Sheikh's letter to you, a copy of which you sent me before you left for Kashmir. In that letter again there was some loophole for disturbing the finality of the arrangements we had reached after so much effort on the last occasion. I hope you have been able to deal effectively with it at Srinagar. The Yuvraj proposes to leave for Jammu in the third week of June. After three days' stay in Jammu he will leave for Srinagar. He has to stop at Jammu because there are many matters which would require his attention there. Moreover, he will have to take staff and certain other things from Jammu to Srinagar.

3. I hope your programme for Leh would not be very exacting; otherwise I agree that it is worthwhile going there and cultivating the Ladakhis.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Pandit Jawaharlal Nehru
New Delhi

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New Delhi
9 June 1949

My dear Vallabhbhai,

I enclose a cutting from Pakistan Times [Lahore] which might interest you. It shows how the Praja Parishad of Jammu is playing into the hands of Pakistan.

Yours,
Jawaharlal

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

ENCLOSURE

ABDULLAH'S POPULARITY DWINDLING: PRAJA PARISHAD'S BITTER OPPOSITION

RAWALPINDI, 6 June: With the temporary exist of Maharaja Hari Singh from the political scene in the Indian-held Kashmir, political observers believe the way has been paved for Thakur [Nachantchand], Sheikh Abdullah's rival for political supremacy, to gain ascendancy in Kashmir politics. The Thakur, it may be pointed out, is a brother of the Rani and has at his back the support of the militant Praja Parishad and the Mahasabha, besides the active assistance of the Rani herself and many sympathisers in the East Punjab State and Imperial Delhi.

Political observers say that the Thakur, who regards the accession of Hari Singh's son, his nephew, to the "gadi" instrumental to the realisation of political power, has won a real diplomatic victory over Sheikh Abdullah. Abdullah's jubilation over the removal of Hari Singh — an event which he publicised as his personal triumph over Hari Singh —is gradually dying out under the impact of a very stiff position from the Praja Parishad, the Mahasabha and the RSS, all of which avowedly stand for the consolidation of Hindu rule in areas lying [on] the Indo-Kashmir border. It is interesting to note that Sheikh Abdullah's attempt to popularise the National Conference in Jammu has been foiled by the Praja Parishad. Abdullah's slogan of nationalism was vehemently opposed by supporters of Dogra rule. Only recently the President of the Praja Parishad in an outspoken speech at a public meeting in Jammu declared that the Dogras were waiting for a suitable opportunity to display once again the strength of the sword.

Sheikh Abdullah, who is now a regular target of the Praja Parishad's criticism, observers further point out, has swung his truncheon from Hari Singh to his brother-in-law, Thakur [Nachantchand]. A demand is now being made to arraign the Thakur before a court of law. In a charge-sheet published in a recent issue of the Ranvir of Jammu, [Nachantchand] has been accused of planning the Jammu massacre in collaboration with RSS gangsters in 1947 and creating bad blood between the Government and the refugees. It is yet to be seen how the Praja Parishad reacts.

[Pakistan Times]

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Hotel Imperial
New Delhi
14 June 1949

My dear Sardar Patelji,

This is just to tell you how very much I enjoyed my three weeks' stay with you in Dehra Dun, and how grateful I am to you and Manibenji for your hospitality in putting me up for so long and making me so comfortable. It was a real pleasure staying with you, and I also enjoyed revisiting my old school and going up to Mussoorie.

I am proceeding on the 20th direct to Srinagar. Previously I was thinking of going to Jammu first and then going up to Srinagar. However, I met Panditji and he said I should go to Srinagar first.

Difficult though my job is, I have great confidence in the fact that I know I shall always have your blessings and support.

I may come to Delhi for a few days after a month or two, when I hope I shall have the pleasure of seeing you again.

Hoping this finds you and Manibenji very well.

With respectful regards,

Yours very sincerely,
Karan Singh

225

Dehra Dun
18 June 1949

My dear Yuvraj,

Thank you for your letter of 14 June 1949.

I am glad to hear that you enjoyed your visit to Dehra Dun and your stay with us.

On the occasion of your first visit to Srinagar as Regent, I should like to send you my best wishes and blessings. Nobody realises the difficulty and delicacy of your task better than myself. A great responsibility rests on your young shoulders and I do hope you will discharge it with tact, ability and vision. Unfortunately,

we have not been able to find a suitable adviser so far. We shall continue our efforts and send one as soon as possible. Till then, you can write to me, to Shankar or to Vishnu Sahay[1] without any reserve.

With kindest regards,

Yours sincerely,
Vallabhbhai Patel

Yuvraj Shri Karan Singh
Yuvraj of Jammu and Kashmir
Imperial Hotel
New Delhi

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Karan Mahal
Srinagar
26 June 1949

My dear Sardar Patelji,

Thank you very much indeed for your kind letter of the 18th which I received just before I left Delhi, and for your blessings and best wishes for which I am very grateful.

As scheduled, I left Delhi on the 20th. Our programme was to land direct at Srinagar and not stop anywhere en route. However, the weather over the Banihal Pass was bad and so we had to land at Jammu. Luckily we did not have to stay there too long. After two hours we took off again and ultimately reached Srinagar at 12 noon instead of 10 a.m. as scheduled. At Srinagar aerodrome Sheikh Sahib and Ministers were there to receive me and I was introduced to them and other top officials, both civil and military.

Mr. Vishnu Sahay stayed here with me for a few days. He left on the 23rd. He said he was going to Dehra Dun to see you and discuss with you certain matters, including the problem of an adviser.

The weather here is wonderful—such a pleasant change from Delhi!

Hope this finds you very well indeed.

With respectful regards,

Yours very sincerely,
Karan Singh

[1]Secretary, Kashmir Affairs

CHAPTER XVII

UN COMMISSION PROPOSAL FOR ARBITRATION

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EXTRACT

New Delhi
29 June 1949

My dear Vallabhbhai,

The situation in Kashmir, that is, Pakistan's military movements, is getting more and more odd. From all accounts that we receive, Pakistan troops are being concentrated in Azad Kashmir and on the border. This can only lead to one conclusion, that Pakistan intends mischief. If suddenly they started an invasion with tanks etc., it is quite possible that they could break through and cut our lines of communications, etc., round about Naushera. It is not difficult for an army taking the initiative to go ahead. We are discussing this matter with our military chiefs. Personally I cannot conceive how Pakistan can take any forward step of this kind just at this moment when the [UN] Commission is sitting there. But internal conditions in Pakistan are bad and they might want to gamble.

Cariappa and Vishnu Sahay wanted to accompany me to Ladakh. I am however asking them to stay on here in case there are developments.

We are preparing a special memorandum on recent developments in Kashmir for the U.K. and U.S. Governments. I am inclined to think that it might be worthwhile to send [Girja Shankar] Bajpai[1] to England with this memorandum, so that he can personally see Attlee[2] about it. If this has to be done, it will have to be fairly soon.

I do not particularly like the idea of my going to Ladakh just at this moment, though I do not expect anything unusual will happen. In the balance I think it is as well that I should go.

Yours,
Jawaharlal

The Hon'ble Sardar Vallabhbhai Patel

1 Secretary-General, External Affairs Ministry
2 Prime Minister of U.K.

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EXTRACT

Dehra Dun
30 June 1949

My dear Jawaharlal,

About Pakistan's attitude regarding Kashmir, as also about their attitude on other inter-Dominion questions, I have always held one view. They have outwitted us and if we will not be on our guard they will steal a march on us. It is better to be fully prepared for all eventualities.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Pandit Jawaharlal Nehru
New Delhi

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EXTRACT

Dehra Dun
9 July 1949

My dear Jawaharlal,

I hope you have had a comfortable trip to Ladakh. I have been following your visit through the papers. It seems you have created a great impression among the Ladakhis.

I have seen Attlee's reply to our approach in regard to the possibility of Pakistan's attack on Kashmir. It is a disappointing reply and in some ways rather makes matters worse in that Pakistan will now come to know of this approach. I am afraid we can rule out any help and co-operation from Britain in settling this point. Indeed, it seems that they are determined not to disturb British military officers who are in Pakistan.

Yours,
Vallabhbhai Patel

The Hon'ble Pandit Jawaharlal Nehru
New Delhi

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56 D. Mount
Kasauli
18 July 1949

My dear Sardar Sahib,

I was very glad to read about the improvement in your health. I always pray to God Almighty for your long life. May He give you the best of health. Please let me know your present condition by the return of mail.

I have liked this place very much and there has been a great improvement in my health ever since my arrival at this place.

Please convey my namaskars [greetings] to Maniben Patel.

With kindest regards,

Yours sincerely,
Tara Devi
Maharani of Jammu and Kashmir

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New Delhi
30 July 1949

My dear Jawaharlal,

I am sending herewith a copy of a letter which I have received from Shibbanlal Saksena [Member, Constituent Assembly]. You may have received one similar letter from him already, but I thought, in case you had not, this letter might interest you.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Pandit Jawaharlal Nehru
New Delhi

ENCLOSURE

13-E Ferozeshah Road
New Delhi
27 July 1949

My dear Sardarji,

I do not wish to put a burden upon you by writing any letters, but the way in which the Kashmir issue is being handled pains me deeply. You know how deeply India is interested in the Kashmir issue. We have spent about 100 crores of rupees in the war there, and the flower of our army has sacrificed their lives for it. The country will not forgive us if we lose Kashmir, but I think we are still continuing our blunders. The agreement arrived at today regarding the ceasefire line at Karachi has pained me deeply.

I recently visited Kashmir to see things for myself. It is midsummer madness to believe that we can win the plebiscite. Sheikh Abdullah has undoubtedly influence over the Muslim masses. But, just as in spite of Gandhiji's and Jawaharlalji's advocacy of Hindustani, the masses would vote for Hindi, so nobody can hope to win the plebiscite in Kashmir. We created difficulties ourselves by unnecessarily volunteering for a plebiscite, then taking the case to the UNO and then ordering ceasefire when we were winning. The military forces are terribly dissatisfied with our politicians. But they are a wonderful lot and in high spirits. Still, repeated blunders by politicians will undermine their morale. I am definitely of the opinion after a very careful and deep study of the situation in Kashmir that if we want to retain Kashmir, we must fight to drive out the aggressor from our soil. And we can fight only if we break off negotiations. Instead, I find that we always go on yielding.

You never take the Assembly or the party into confidence with regard to the Kashmir issue. I know that is the general feeling amongst party members. But, on account of our respect for you and for Panditji, we suffer all you do without protest. My conscience pricks me when I find such mistakes being made. And when I give expression to what I feel so intensely, you all begin to talk of disciplinary action and what not. But, after having spent 30 years out of my 42 years of age in the service of the Congress ever since 1919 when I was a child of 12, you can imagine how deeply I am distressed when I see such blunders as we have committed in Kashmir being persisted.

If your health permits and you can give me a few minutes of your time, I can come to you and tell you what I saw in Kashmir. My report will be

a bare factual narration of what I saw with my own eyes. It will be neither alarmist, nor full of flattery for those in authority. If you care to know what I have seen, I may be given some time.

With regards,

Yours sincerely,
Shibbanlal Saksena, M.A.
M.C.A.

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

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Srinagar
7 August 1949

My dear Yuvraj Sahib,

As you are aware, the question of the administrative control over the State Department has been the subject of discussion for some time between His Highness, the Ministry and the States Ministry. At one stage, the idea held the field that it should be bifurcated; one part to be administered by the Ruler and the other by the Ministry. On further consideration it is found that this would give rise to a number of difficulties. Consequently, we have reached the conclusion that the department should be maintained, for the time being, as one administrative unit and that it should be administered by the Ruler in consultation with the Prime Minister. The attached note sets out the formula which we have evolved after careful consideration. I trust it will be acceptable to you.

2. I also attach a note setting forth the concessions and perquisites which the Ruler will enjoy in future. The decisions contained in the note have been agreed to by the Ministry.

3. We have also had under consideration the desirability of instituting a thorough audit into the transactions of Dharmarth Council in respect of which there have been certain allegations. I have discussed this matter with Sheikh Sahib and we both agree that it would be most useful to appoint an auditor with instructions to conduct a thorough audit of the accounts of the Trust for the last three years. The name of Mr. Dilbagh Roy has been suggested in this connection. I shall be grateful if you will kindly take necessary action.

4. I shall be grateful if you will kindly signify your acceptance to these proposals at your earliest convenience.

With kind regards,

Yours sincerely,
V. P. Menon

Shri Yuvraj Karan Singhji Bahadur
Srinagar
Encl. 2

ENCLOSURE I

1. The State Department deals with the administration of properties and services which form part of the Government of Jammu and Kashmir.
2. The Ruler has a special interest in the administration of the department as it is concerned with services and items essential to the dignity, status and position of the Ruler as the Head of the State.
3. It is inconvenient from an administrative point of view to break it up and consequently it should be administered as one unit.
4. The State Department will be administered by the Ruler in consultation with the Prime Minister. The detailed administration will be entrusted to an officer appointed by the Ruler on the recommendation of the Prime Minister. In regard to financial and audit control, it will be treated as any other department of Government. For the year S [Sravan] 2006 a provision of Rs. 5 lakhs will be made for this department in the budget.

ENCLOSURE II

CONCESSIONS AND PERQUISITES TO BE ENJOYED BY THE RULER OF JAMMU AND KASHMIR STATE

I. Exemption from Custom Duty

Exemption will be granted in respect of such goods as are imported for the personal use or consumption of the Ruler and the members of his family, including food, drinks and tobacco, imported for the use of the Ruler, his family and their guests, whether official or not.

II. Supply of Electricity

There will be free supply of electrical energy to the official residence of the Ruler, it being understood that consumption will be reasonable.

III. Supply of Water to Palaces at Srinagar and Jammu

There will be free supply of water to the official residence of the Ruler, it being undestood that the consumption will be reasonable. Water required for other purposes will be paid for.

IV. Telephone Connections in the Palaces and Trunk Calls

Telephone connections in the official residence of the Ruler, trunk calls, and use of telegraph services for official purposes will be exempt from all charges; otherwise payment should be made at the usual tariff rates.

V. Supply of Water for Lands, Rakhs and Farms of the Private Departments from P.W.D. Canals

Abiana will be charged at the usual tariff rates.

VI. Exemption from the Payment of Road Toll in Respect of Vehicles

Exemption from road toll will be limited to the cars and vehicles of the Ruler. He and his family, including servants, travelling with them, will be allowed the use of dak bungalows belonging to Government without the payment of any rent.

VII. Pension and Provident Fund Benefits for Personnel Employed in the Private Department

Pensions and gratuities sanctioned or due to be sanctioned to staff retired before 20 June 1949, will continue to be paid from State revenues. Government will also assume liability for that portion of pensions or gratuity as might accrue in respect of services rendered up to 20 June 1949, in regard to personnel in service on that date. For service after this date liability for pension and gratuity will be met from the Civil List. If the services of any Government official are required for employment in the Private Department, leave and pension contributions will be payable on the usual scale.

The liability of Government for interest charges on G.P. Fund deposits will be limited to the period before 20 June 1949, thereafter if the staff in the Private Department are to be allowed Provident Fund benefits, the cost of such benefits will be met from the Civil List.

VIII. Hundies Issued by the Private Department

These will continue to be accepted at par.

IX. Medical Facilities for the Ruler, His Family and Servants

The dispensary now located within the Palace grounds will be continued for the time being. State Government will be free to arrange for the utilisation of the services of the medical staff and of the dispensary for other purposes to the extent to which it may be possible to do so.

X. Guards for Palaces

Police guards for the palaces will be provided by Government. If guards are required for the private properties of the Ruler, the cost of such guards should be met from the Civil List.

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Karan Mahal
Srinagar
8 August 1949

My dear Mr. V. P. Menon,

I am in receipt of your letter dated 7 August regarding the State Department and other matters.

The question of the State Department has been discussed by you with Sheikh Sahib, and as these recommendations have been made after careful consideration by you both, I of course accept them. In this, as in any other matter, I can assure you and Sheikh Sahib that my aim will always be to strengthen the hands of my Government.

2. I also note the list of concessions and perquisites which will be enjoyed by the Ruler in future and which have been agreed to by my Ministry.

3. As regards your suggestion for an audit of the accounts of the Dharmarth Trust for the last three years, I agree with you that it will be a good thing to do. However, as I have not got a copy of the Dharmarth Act, I am not sure whether I am competent to pass the necessary orders. Will you or Sheikh Sahib therefore please let me know the legal position in this respect?

4. As you know, His Highness has up till now been dealing with the State Department and has recently passed several orders in this connection. I would therefore be grateful if you will notify him of this new arrangement.

With kind regards,

Yours sincerely,
Karan Singh

Mr. V. P. Menon
Adviser, States Ministry
New Delhi

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9 August 1949

My dear Maharaja Sahib,

Your Highness will remember that before you left for Bombay in June last, we had agreed on the following arrangements in regard to the State Department properties:

(a) Your Highness had given a list of property which should be retained in the State Department;

(b) It was also agreed that a budget provision of Rs. 5 lakhs should be left for the State Department.

2. As regards the property list furnished by Your Highness, it was generally accepted as reasonable but this was to be discussed further with Sheikh Sahib.

3. We have had some further discussions with Sheikh Sahib on this point. Sheikh Sahib's attitude was that, first, he thought that only a small number of the properties listed was really necessary for the Ruler's dignity, and second, that he was at liberty to press on the Ruler that many of these properties should be utilised for important public purposes. Obviously, the Yuvraj cannot, if he wishes to maintain cordial relations with his Prime Minister, overrule the latter on any such recommendations: an arrangement of this kind would therefore result soon in the State Department being reduced to practically nothing.

4. We have therefore had to reconsider the whole situation afresh, and work out what would be the best method of safeguarding the interests of the Yuvraj and the properties of the State Department. I have had long discussions both with the Yuvraj and with the Sheikh Sahib. The formula which we have now worked out is embodied in the correspondence between the Yuvraj and myself (copies of which are attached). In brief, the position is that there will be no more divisions of the State Department property. The whole of it will be under the management of the Yuvraj, but the Yuvraj will, in their administration, act in consultation with Sheikh Sahib as the Prime Minister of the State. Sheikh Sahib himself, I may tell you, was not at first in favour of this proposal. After some difficulty, however, I have been able to persuade him not to insist on a division, but to leave all these

properties in the State Department under the control of the Ruler. He has also assured me that he would be very careful to safeguard the interests and the dignity of the Yuvraj and would not give any advice which would prejudice the position of the Ruler as the head of the State, and Sheikh Sahib has also assured that he would now agree to a budget provision of Rs. 5 lakhs being made.

5. I realise that to a certain extent this represents a variation from the arrangements which we agreed upon in June last; but the substance of the arrangement by us, viz., that the State Department remains under the control of the Ruler, has been agreed to. Both in the interests of the State Department and in the interests of the Yuvraj, I think the formula I have now induced Sheikh Sahib to accept is a solution best capable of enduring, and it is also one which preserves the position of the Ruler in respect of the State Department.

6. The audit of the accounts of the Dharmarth Council was a step which we agreed to earlier; and Your Highness will, I am sure, agree that it will be useful for all points of view.

With kind regards,

Yours sincerely,
V. P. Menon

H.H. The Maharaja of Jammu & Kashmir

Copy forwarded for information to:
Shri V. Shankar, ICS
P.S. to H.M., States

ENCLOSURE

Bombay
16 August 1949

My dear Menon,

There are one or two points about your settlement regarding Kashmir about which I want to say something. I could not get an opportunity so far, so I am writing to you now.

2. I had a visit from Kamal Singh [ADC to Maharaja] today. He told me about the first reactions of His Highness. They were, as I expected, entirely adverse. He felt that we were going back upon the commitments into which we had entered with him and that it was most embarrassing for him to be confronted with an agreement from the Yuvraj on this matter. He also said that

it was with a view to avoid this embarrassment that he stipulated for a settlement of these issues in advance of his leaving the State and the Yuvraj joining. In his usual vein, he was prepared to quit rather than submit. I have sent word to him that he should not approach this matter on this basis. After all, the property which he would have managed as Ruler under State Departments really belongs to the State. It is not his personal property. The grants which he would get would be grants from the State. Technically, it is an uncontestable proposition that the State Government should have a measure of say. On the other hand, our position has been to retain as much as we can hold and to give [in] only when we have to. In this particular case, I told him that both logic and precedents were entirely on the side of Sheikh Sahib. After all, in this year of grace 1949 it would be difficult to find any sane person in India who would agree that fishing rights or fishing lodges or rakhs were essential for the dignity of a Ruler. Furthermore, nobody could contest that the rakhs would be better utilised for the Grow More Food campaign.

I told him that in our settlements with our rulers we have not provided for a single property except a palace to be maintained out of the State funds. All the other properties such as shooting lodges etc. were all treated as private property or were looked after by the State Government, with the Ruler having special rights. If he was prepared to have this position, nothing could please Sheikh Sahib more. I then explained that in the settlement which we had reached, we had preserved for the Ruler the whole of the State property and secured a grant of Rs. 5 lakhs. In return all that he had to do was to administer it in consultation with the Prime Minister. This obviously did not mean day-to-day management, but it only meant that in major matters he could keep the Prime Minister in touch. As regards the officer whom he would appoint on the recommendation of the Prime Minister, personally if I were the Ruler I would tell the Prime Minister that I propose to do it all myself and there was no point in having unnecessarily another officer. I could justify it on the ground that I had ample time of my own and wanted to keep myself busy. I think H.H. will now agree, but if there is any difficulty, as I wrote to you, I would tackle H.H. either in Poona or here.

3. As regards the Dharmarth Trust, the position is that the Yuvraj has no locus standi. I think, according to the Ain, i.e., the Deed of Trust, the Ruler in his personal capacity is the chairman of the Trust. H.H. would, I think, be quite prepared to have an audit done, but it must be by an officer of the Government of India. This would be better in the interests of everybody because insofar as the allegations against the Dharmarth Trust are concerned, Government is a party to the dispute and, therefore, it would not be proper to leave the audit to an officer of the Jammu and Kashmir Government. If you approve of the idea that it should be audited by one of our own accounts officers, then I can prevail upon H.H. to accept our proposal regarding audit.

4. H.H. also sent word to me about his privy purse for last year which is owing to him both from the State as well as from us. I hope you would be able to fix up at least the latter. I believe Sheikh Sahib is objecting to the payment of Rs. 6 lakhs on the ground of some adjustments which he has to make. He seems to be inclined to bleed the Maharaja to the last drop.

Yours sincerely,
V. Shankar

V. P. Menon, Esq., CSI, CIE
Adviser, Ministry of States
New Delhi

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New Delhi,
30 August 1949

My dear Vallabhbhai,

I am sorry I have not written to you for some days. I went to Kanpur and then I had to go to Allahabad for a brief visit owing to Indira's[1] illness.

There are a host of matters of importance on which I should like to have a talk with you. But it becomes difficult to write lengthy letters on each subject. H. V. R. Iengar came to me today and gave me your message about my visiting Bombay. I shall certainly try to do so. I am going to Allahabad on Saturday and Sunday next, 3 and 4 September. I shall try to come to Bombay early on the morning of the 5th from Allahabad, returning the next day. I do not want any engagement in Bombay except to meet you.

The UN Kashmir Commission people came to see Bajpai today and put forward their proposal for arbitration regarding the truce, [Admiral] Nimitz as arbitrator. The U.S. Ambassador is coming to see me tomorrow with a special message from President Truman about this matter. The U. K. High Commissioner is also seeing me tomorrow, probably with the same object in view. All this barrage is, I suppose, meant to sweep us away. But I am quite clear in my mind that we should not accept this proposal. I am sure you must be of the same opinion. I shall meet the Commission myself day after tomorrow.

[1] Mrs Indira Gandhi, daughter of Nehru, now Prime Minister of India

I should have liked to send you our draft reply. But perhaps this cannot be delayed too long. I could send someone like Vishnu Sahay with it to you, or Bajpai could go.

Indira was suddenly taken ill with some infection. She is a little better now, but she is still in hospital now in Allahabad.

Here the interminable debates in the Congress Party go on. The C. A. [Constituent Assembly] is likely to last till at least 22 September.

Yours,
Jawaharlal

The Hon'ble Sardar Vallabhbhai Patel
Bombay

CHAPTER XVIII

CENTRE'S CONTROL OVER KASHMIR

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Bombay
3 September 1949

My dear Dr. John Matthai,

I believe the question of arrears of privy purse of His Highness the Maharaja of Kashmir is pending with your Ministry. We have fixed his privy purse at 15 lakhs, out of which 6 lakhs would be paid by the Jammu & Kashmir Government and 9 lakhs by us. The Maharaja has not received any privy purse during, I believe, the whole of last year. This was because Sheikh Sahib said that he could not afford to pay anything more than 6 lakhs, whereas the Maharaja used to be entitled to something like 20-21 lakhs or more. I am sure you will realise the difficulty of the Maharaja's position. He has been putting his trust in us and has always deferred to our views every time that the Sheikh Sahib has been making demands on him. I feel that it would be a breach of faith on our part if we could not give him an amount which we felt was the minimum necessary according to the standards which we have applied to other Princes. Indeed, if we fixed his privy purse on the basis of the scales applied to other Princes, his privy purse would be much higher. I hope, therefore, that in these circumstances you will kindly see your way to apply the existing arrangement with retrospective effect and sanction the additional payment of Rs. 9 lakhs for last year as well. This is a commitment which I feel we should honour. Where crores are being spent on Kashmir, I think we should not mind these few lakhs.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Dr. John Matthai
Minister for Finance
New Delhi

237

New Delhi
7 September 1949

My dear Sardar,

This is to acknowledge your personal letter of the 3rd instant regarding the privy purse for the Maharaja of Kashmir. This matter was discussed at the Cabinet meeting last week. The decision arrived at was that we should accept the obligation to pay the Maharaja Rs. 9 lakhs a year until such time as the Kashmir problem is finally settled. In pursuance of this decision, I have already instructed the Finance Ministry to pay Rs. 5 lakhs, which we can supplement by an additional Rs. 2 lakhs, should the Maharaja require more money immediately. As regards payment for 1948-49, I have looked through the relevant papers both in the States Ministry and in ours, and the question as to whether a decision has been arrived at on this matter appears to be not free from doubt. What we have to do is to defer a final decision until your return to Delhi. As the immediate requirements of the Maharaja will be met by the payments already made, and the additional payments that we are prepared to make, I hope you will agree that there is no serious objection to this question being left over for further discussion with you in the light of the recorded discussions.

I am glad to learn that you are feeling better and able to apply your mind to current problems. We are hard at work on the economic situation, and hope to be able to come to some definite decisions in the course of a fortnight. I would like very much to take an opportunity of meeting you in Bombay to discuss some of these matters before we finalise our views. I shall give you sufficient notice of my programme.

With kindest regards,

Yours sincerely,
John Matthai

The Hon'ble Sardar Vallabhbhai Patel
Bombay

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Bombay
9 September 1949

My dear Dr. John Matthai,

Thank you for your letter dated 7 September 1949.

I am glad that you have already made arrangements for immediate payment to His Highness the Maharaja of Kashmir of a sum of Rs. 5 lakhs and that you are prepared to supplement it by an additional sum of Rs. 2 lakhs. I have no objection to the question relating to 1948-49 being kept pending until my return to Delhi.

I am looking forward to meeting you when you come here. I myself have been very worried about the economic situation and wrote to Jawaharlal about a week or fortnight ago asking him to consult you about the deteriorating situation. I hope he has done so because he told me when he was here that he was going to fix up an appointment for discussing the matter with you.

With kindest regards,

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Dr. John Matthai
New Delhi

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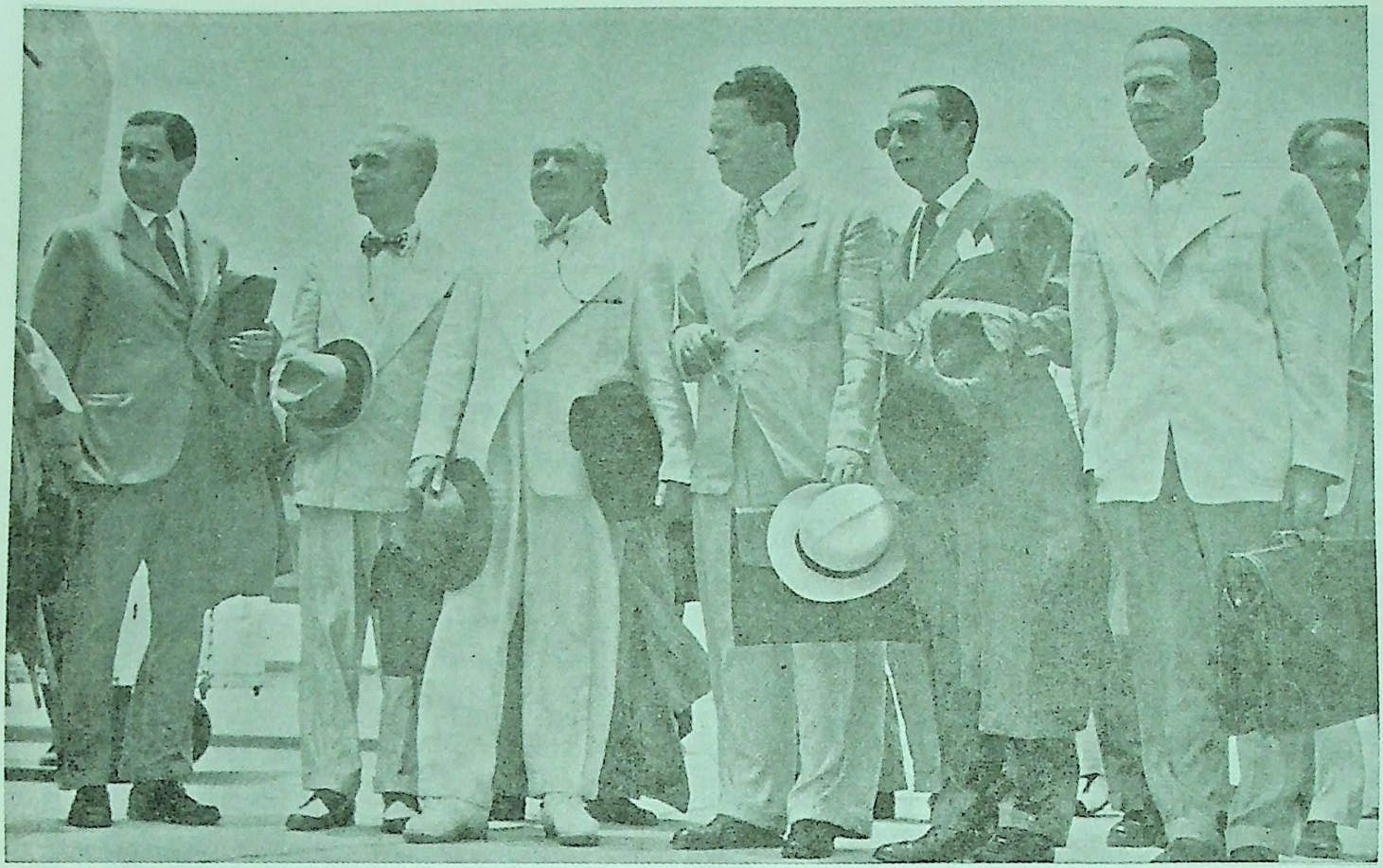
56 The Mount
Kasauli
6 September 1949

My dear Sardar Patelji,

This is to intimate you that the wedding of my son, Yuvraj Karan Singh, has been fixed for the month of January 1950. The wedding arrangements have to be made well beforehand. According to the State traditions and customs, the State sanctions the wedding expenses and also fixes an allowance for the Yuvrani. I shall be obliged if these two matters are taken up by the State Government and the Government of India and a sum [for] wedding

MAHARAJA HARI SINGH AND MAHARANI OF KASHMIR WITH YUVRAJ KARAN SINGH AND YUVRANI ON THE OCCASION OF THE YUVRAJ'S WEDDING



GROUP PHOTOGRAPH OF MEMBERS OF UNCIP (UN COMMISSION FOR INDIA AND PAKISTAN)
ON THEIR ARRIVAL IN INDIA IN MAY 1948

expenses (a minimum of Rs. 10 lakhs) is sanctioned and paid to the Yuvraj, and an allowance of Rs. 50,000 per year fixed for the Yuvrani. As you know, he is our only son, and what is more he is marrying in the very wealthy independent Kingdom of Nepal; therefore 10 lakhs will barely meet the expenses which we will have to incur for the wedding.

I shall be extremely grateful if you will kindly move in the matter at your earliest convenience.

With kindest regards,

Yours sincerely,
[Tara Devi]
Maharani of Kashmir

Sardar Vallabhbhai Patel
New Delhi

240

Bombay
9 September 1949

My dear Maharani Saheba,

Thank you for your letter of 6 September 1949 regarding a grant from the State for wedding expenses and an allowance for the Yuvrani.

I am sure you will agree that the request should have come from His Highness the Maharaja. However, we have this matter already under consideration.

With kind regards,

Yours sincerely,
Vallabhbhai Patel

Her Highness Maharani Tara Devi
Maharani of Kashmir
56 The Mount
Kasauli

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Srinagar
17 September 1949

My dear Sardarji,

Jai Hind.

I pray and hope that you are progressing to better health. God must spare you to the country for many years to come because we need you so desperately.

As probably you may be aware, we are holding the annual session of the National Conference on the 24th of this month in Srinagar. We all wish you could pay us a visit to Srinagar on this occasion. Kashmir longs for your darshan. Your presence at the annual session would lend us more courage and greater determination to face the numerous difficulties which beset our path.

But probably your recent illness will not permit you to take the arduous journey to Kashmir. But we all expect you to lend us your blessings on the occasion and advice to guide us to right decisions.

With sincerest regards,

Yours sincerely,
Ghulam Bakhshi

Hon'ble Sardar Vallabhbhai Patel
Bombay

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New Delhi
14 October 1949

My dear V. Shankar,

I saw H. M. Transport [N. Gopalaswami Ayyangar], who told me that Sheikh Abdullah had written to him that the draft Art. 306-A (to which Sheikh Abdullah and his colleagues had agreed) had not met with the approval of the Working Committee of the National Conference. Sheikh Abdullah has sent an alternative draft which merely says that the provisions of the Constitution shall apply to Kashmir only in regard to the acceded subjects

and that the Dominion Parliament shall be entitled to legislate in regard to Kashmir only in respect of the acceded subjects. A further proviso is made that the Government of Kashmir shall mean His Highness the Maharaja acting on the advice of the Council of Ministers as at present constituted and not on his individual judgment or discretion.

2. Parts II, III and IV of the Constitution would apply automatically to Kashmir unless the position is expressly saved. These refer to Fundamental Rights, Citizenship and Directive Principles. What is worrying Sheikh Abdullah and the Working Committee of the National Conference is that if these general provisions become applicable to Kashmir also, their legislation against other citizens of India in respect of acquisition etc. of property will become invalid. The Kashmiris are perhaps worried about the occupation of their country by Punjabis ! ! H. M. Transport told Mr. Beg that Kashmir's accession to India would imply its acceptance of at least these general conditions.

3. The Sheikh's argument regarding the present draft of Art. 306-A is more involved. He says that the preamble says that it will be short-lived and the Constituent Assembly of the State can terminate the Article and thereupon all the provisions of the Constitution would apply. H. M. Transport has told Mr. Beg that the Constituent Assembly of Kashmir can be expected to act reasonably. (I do not follow the intricacies of Sheikh Sahib's arguments on this point.)

4. The position at present is that H. M. Transport has sent for Sheikh Abdullah and will persuade him not to go back on the draft which was agreed to in the presence of the Prime Minister. As I understand it, Shri Gopalaswami Ayyangar is of the view that if the Sheikh persists in moving amendments, on his head be it—we cannot do anything more in the matter.

5. I mentioned the above to V. P. Menon, who asked me to convey this to you.

Yours sincerely,
Vishnu Sahay

Shri V. Shankar, ICS

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New Delhi
15 October 1949

My dear Sardarji,

Sheikh Abdullah and two colleagues of his had a talk with me for about an hour and a half this morning. It was a long drawn out argument, and, as I told you this morning, there was no substance at all in the objections that they put forward to our draft. At the end of it all, I told them that I had not expected that, after having agreed to the substance of our draft both at your house and at the party meeting, they would let me and Panditji down in the manner they were attempting to do. In answer, Sheikh Abdullah said that he felt very grieved that I should think so but that in the discharge of his duty to his own people he found it impossible to accept our draft as it was. I told him thereafter to go back and think over all that I had told them and hoped that he would come back to me in a better frame of mind in the course of the day or tomorrow.

I have since thought over the matter further and dictated a draft which, without giving up the essential stands we have taken in our original draft, readjusts it in minor particulars in a way which I am hoping Sheikh Abdullah would agree to.

I discussed this draft with the Drafting Committee in the evening and one or two small suggestions which they made have been incorporated in it. I enclose a copy of this redraft as also of my letter to Sheikh Abdullah for your information.

I trust that this will meet with your approval.

Yours sincerely,
N. Gopalaswami

The Hon'ble Sardar Vallabhbhai Patel
New Delhi
Encl.: 2

ENCLOSURE I

REDRAFT OF ARTICLE 306-A

306-(A) (1) Notwithstanding anything contained in this Constitution—

Provisions with respect to the State of Jammu and Kashmir.

(a) the provisions of Article 211-A of this Constitution shall not apply in relation to the State of Jammu and Kashmir;

(b) the power of Parliament to make laws for the State shall be limited to

(i) those matters in the Union List and the Concurrent List which are declared by the President to correspond to matters specified in the Instrument of Accession governing the accession of that State to the Dominion of India as the matters with respect to which the Dominion legislature may make laws for that State, and

(ii) such other matters in the said lists as with the concurrence of the Government of that State, the President may, by order, specify

(c) the provisions of Article 1 and Part II of this Constitution shall apply in relation to that State;

(d) the other provisions of this Constitution shall apply in relation to that State subject to such exceptions and modifications as the President may, by order, specify

(i) after consultation with the Government of that State, in cases where such exceptions or modifications are necessary by reason of, or, are incidental to, or are consequential upon, the provisions of clause (a) or clause (b) of this article; and

(ii) with the concurrence of that Government, in other cases,

(2) not withstanding anything in the preceding clause of this article, from such date as he may specify, the President may, on the recommendation of the Constituent Assembly, constituted for the purpose of framing the Constitution for the State, direct that this article shall cease to be operative, or shall be operative only with such exceptions and modifications as may be agreed on.

N. Gopalaswami
15-10-49.

ENCLOSURE II

New Delhi
15 October 1949

My dear Sheikh Abdullah,

Our discussion this morning, as I indicated to you, left me even more distressed than I have been since I received your last letter from Srinagar.

But this personal reaction of mine is irrelevant when I feel weighted with the responsibility of finding a solution for the difficulties that, after Panditji left for America and within the last few days, have been created, from my point of view, without adequate excuse.

In spite of this personal feeling, I am as anxious and keen now as ever I have been to see that you are not given any cause for genuine or even imagined grievance in regard to the policy that the Government of India are following in relation to Kashmir. I have, therefore, since you left me this morning, tried to find a way out of the present situation in regard to Article 306-A.

I enclose a draft of Article 306-A with the language of it readjusted so as to meet practically all your main points.

I do not wish to write a thesis on the changes that I have made. You will be able to recognise them easily. If you wish to have any further elucidation

in the matter, I would request you to come over and discuss it frankly with me.

I do hope you will appreciate the gesture I am making. If you are agreeable to this new draft being substituted for the one of which the Drafting Committee has already given notice, I shall ask the Drafting Committee to give notice of this draft in substitution of the other one. Personally, I should like you to move this draft yourself in the House. We shall be there to support you, and I hope the debate would be maintained at such a high level that a report of it, when cabled to America, will have an effect on the discussions of the Kashmir problem, that may there be going on, which will be of the maximum help to Panditji.

I am looking forward to your rising to the occasion.

Yours sincerely,
N. Gopalaswami

The Hon'ble Sheikh Mohd. Abdullah
New Delhi

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New Delhi
16 October 1949

My dear Gopalaswami,

Thank you for your letter of 15 October, which I received only this afternoon on my return from the Constituent Assembly.

I find there are some substantial changes over the original draft, particularly in regard to the applicability of fundamental rights and directive principles of State policy. You can yourself realise the anomaly of the State becoming part of India and at the same time not recognising any of these provisions.

I do not at all like any change after our party has approved of the whole arrangement in the presence of Sheikh Sahib himself. Whenever Sheikh Sahib wishes to back out, he always confronts us with his duty to the people. Of course, he owes no duty to India or to the Indian Government, or even on a personal basis, to you and the Prime Minister who have gone all out to accommodate him.

In these circumstances, any question of my approval does not arise. If you feel it is the right thing to do, you can go ahead with it.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Shri N. Gopalaswami Ayyangar
New Delhi

New Delhi
18 October 1949

My dear Sardarji,

Herewith for your information copies of a letter from Sheikh Abdullah, dated yesterday, and my reply to it.

Yours sincerely,
N. Gopalaswami

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

ENCLOSURE I

LETTER FROM SHEIKH ABDULLAH TO MR. N. GOPALASWAMI AYYANGAR

17 October 1949

The events that took place this morning in the Constituent Assembly have deeply distressed me and my three colleagues, representing Kashmir in the Constituent Assembly.

2. In my letter of 12 October 1949 I had told you that the draft Article 306-A handed over by you to Mr. Beg [Mirza Afzal Beg][1] was not acceptable to us, as it failed to implement the pledges given to us by Panditji on behalf of the Government of India and was totally opposed to the stand taken up by the National Conference in this matter right from the beginning and approved by Panditji and Sardar Patel in a number of public speeches, and we submitted our alternative draft, which restricted the power of Parliament to make laws for the State and the application of the provisions of the Constitution in relation to the State in matters which directly related to the three subjects specified in the Instrument of Accession in accordance with the assurances given to us by Panditji. After that, the position was discussed several times with you by my representatives, and during the night of 15 October, I received another draft from you along with the letter of that date. In reply, on the 16th morning, I informed you that it was not possible to accept your revised draft, and, in order to accommodate your viewpoint to the maximum extent possible, I submitted another draft to you, which, as I stated in my

[1] Member of Abdullah Ministry

letter dated 15 October, went far beyond the sphere in respect of which we had acceded to India. I clearly told you in that letter that it was not possible for me to go beyond this draft and requested you to accept it. You further discussed the matter with my representatives, and another draft, prepared by you in consultation with them, was sent to me by you through them. Yesterday afternoon this draft was finalised, and, on the assurance given by you to Mr. Beg that this finally revised draft will be put up before the Constituent Assembly on behalf of the Drafting Committee, he withdrew his amendment, about the moving of which in the Constituent Assembly he had given notice to the Secretary of the Assembly. I also wrote to you a letter expressing my gratefulness to you for the pains you had taken in the matter and for the final draft, which had been accepted by you on behalf of the Government, and I informed you therein that Mr. Beg had written to the Secretary of the Constituent Assembly for withdrawing his amendment.

3. This morning when we expected the final draft, which had appeared in the List of Amendments circulated by the Secretary of the Constituent Assembly, to come up before the Assembly, you and Maulana [Azad] Sahib came to me and asked me if I could accept an important change in the Explanation to Sub-clause (b) of Clause (I) of the draft Article 306-A, as appearing in the List of Amendments. After careful consideration of the proposed amendment in the Explanation, my colleagues and I told you both in the lobby that it was not possible for us to accept this change in the final draft and you and Maulana Sahib left us. While we were still discussing the matter in the lobby amongst ourselves, the draft Article 306-A was moved by you in the Constituent Assembly, and, when part of your speech was over, we were told by someone that the draft Article had been taken up by the Assembly, and, therefore, we took our seats in the Assembly Hall. We could not conceive that any amendment in the final draft, as circulated in the List of Amendments, would be made by you without conveying your final decision in the matter to us, and so we took it for granted that the final draft Article 306-A was presented before the Assembly in the form in which it had our consent; and, therefore, when it was passed by the Assembly, we did not take part in the debate. While Maulana Sahib and you came to us to discuss the matter with us in the lobby, I clearly told you that, in the event of any change in the finalised draft Article 306-A, we should be at liberty to move the amendment, of which notice had been given by Mr. Beg and his two other colleagues and which had been withdrawn on the express assurance given by you yesterday. In these circumstances, it was not possible for us to move any amendment and we did not get an occasion to express our views on the matter before the open House.

4. As I have told you before, I and my colleagues have been extremely pained by the manner in which the thing has been done, and, after careful

consideration of the matter, we have [arrived] at the conclusion that it is not possible for us to let the matter rest here. As I am genuinely anxious that no unpleasant situation should arise, I would request you to see if even now something could be done to rectify the position. In case I fail to hear from you within a reasonable time, I regret to say that no course is left open for us but to tender our resignation from the Constituent Assembly.

ENCLOSURE II

New Delhi
18 October 1949

My dear Sheikh Abdullah,

I opened and read your letter dated 17 October 1949 when I returned home after the close of the prolonged sitting of the Constituent Assembly yesterday.

2. It would be too mild a description of my first reaction to your letter if I said that it was a painful surprise to me that you should have chosen to write to me in the terms you have done. It is clear that behind all that you have said in the letter there is an undercurrent of feeling that the only person that has, and could have, a sense of grievance in connection with this matter is yourself. Nothing could be farther away from a correct, balanced appreciation of the facts.

3. You have ended up your letter with a sentence which reads like an ultimatum. I am sure that, after you had slept over what you had written to me yesterday evening, you have yourself come to realise that you should not have written to me in that way.

4. I do not propose to deal with the history of the drafting of Article 306-A which, in its final form the Assembly adopted unanimously and without a single dissentient voice and without a speech from anybody raising any note of criticism. It is true that after having unsuccessfully attempted, along with Maulana Azad, to persuade you to agree willingly to the substitution of the words "for the time being in office" for the word "appointed", I did move the article with that amendment after obtaining the permission of the President to do so. The whole House accepted this. I am sorry that you could not move any amendment of your own as against the one I moved. There was, however, nothing to prevent you or any of your colleagues from opposing the amendment that I did move, and as a matter of fact, we were looking forward to your making a speech on the whole of the article, and believe the President waited for a minute or two for Members to rise for making speeches before he put the draft article to the House.

5. Article 306-A, as finalised in the agreement between us, was given notice of on the evening of the 16th after I got your letter of that date and it was immediately circulated to the Members of the House. The attempt made by me and Maulana Azad the next morning, when the House was sitting, to persuade you to accept a trivial change was due to the desire expressed by a large number of the leading Members of the House. All of us, including myself, Maulana Azad and Sardar Vallabhbhai Patel, were of the opinion that it was necessary from many points of view that the change suggested should be accepted. Personally, having agreed with you to the language of the original draft, I felt a special responsibility in agreeing to this change. And I may tell you at once that I agreed to it because I was, and am, convinced that the change in the actual words used in that particular connection did not alter the meaning of the draft agreed to between us.

6. I should think that it is impossible to escape the correctness of what I have just now said. The words in the Explanation as agreed to between us are "Council of Ministers appointed under the Maharaja's Proclamation dated 5 March 1948." The words appearing in the Article as passed yesterday are "the Council of Ministers for the time being in office under the Maharaja's Proclamation dated 5 March 1948." Under the Article, the Council of Ministers has to be consulted on certain matters and its concurrence has to be obtained in other matters. It is obvious that members of this Council appointed under the Maharaja's Proclamation cannot give their advice or concurrence unless they happen to be functioning, that is, in office, at the time when such advice or concurrence has to be given. Nor can there be any members of the Council competent to give their advice or concurrence unless they were persons appointed under the Maharaja's Proclamation. I hope you will, on reflection, realise that the change of words does not constitute the slightest change in sense or substance.

7. In the circumstances, I am unable on the merits to appreciate your suggestion that something should be done "to rectify the position." There is nothing, so far as I can see, which needs rectification. But if you think otherwise, you and your colleagues, who are Members of the Assembly, might take such steps as the rules of the House may allow for carrying out any rectification that you may desire and, if any concrete proposal is made, I can assure you, on behalf of the Government of which I am a Member, that your proposal would receive our best consideration on its merits. I am bound to add, however, that there was nothing in the manner in which the Article was moved and passed which laid itself open to any criticism. It was both politically and parliamentarily unexceptionable.

8. I do not consider, therefore, that there is any justification for your entertaining any idea of resignation from the Constituent Assembly. The step, if taken, would produce the most unwelcome and serious repercussions in

Kashmir, India and the world, and I must ask you to communicate with the Prime Minister before you decide on anything like it. For myself, I shall pass on to him your letter and this reply of mine to it.

With very kind regards,

Yours sincerely,
N. Gopalaswami

The Hon'ble Sheikh Mohammed Abdullah
New Delhi

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EXTRACT

New Delhi
3 November 1949

My dear Jawaharlal,

There was some difficulty about the provision relating to Kashmir. Sheikh Sahib went back on the agreement which he had reached with you in regard to the provision relating to Kashmir. He insisted on certain changes of a fundamental character which would exclude in their application to Kashmir the provisions relating to citizenship and fundamental rights and make it necessary in all these matters as well as others not covered by the accession to three subjects to seek the concurrence of the State Government which is sought to define as the Maharaja acting on the advice of the Council of Ministers appointed under the proclamation of 8 March 1948. After a great deal of discussion, I could persuade the party to accept all the changes except the last one, which was modified so as to cover not merely the first Ministry so appointed but any subsequent Ministries which may be appointed under that proclamation. Sheikh Sahib has not reconciled himself to this change, but we could not accommodate him in this matter and the provision was passed through the House as we had modified. After this he wrote a letter to Gopalaswami Ayyangar threatening to resign from the membership of the Constituent Assembly. Gopalaswami has replied asking him to defer his decision until you returned.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Pandit Jawaharlal Nehru
Prime Minister

CHAPTER XIX

UN COMMISSION REPORT

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New Delhi
4 December 1949

My dear Vallabhbhai,

I enclose a note on Kashmir and the Security Council. I prepared this after a talk with Gopalaswami to discuss the matter with Sheikh Abdullah. There is general agreement about this line. I should like to fix up a meeting at which you, Gopalaswami, Sheikh Abdullah, Bajpai and I will be present.

Yours,
Jawaharlal

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

KASHMIR AND THE SECURITY COUNCIL

From such information as we have been able to gather, the UN Commission is going to present its report to the Security Council on or about the 16th of December. This report is likely to be largely a narrative, avoiding criticism of India or Pakistan and, generally, taking credit to itself for any good that might have been achieved. They confess that the possibilities of mediation open to them have been exhausted within the strict limits of the present terms of reference and that the framework was too narrow. While the situation was a changing and dynamic one, the old restricted framework continued and came in the way of any new approach.

They still talk in terms of a plebiscite and say that this can only take place when the large numbers of troops in the State have been removed. According to them a demilitarisation of the State is essential to permit a specific settlement of the dispute. Therefore, in order to make possible the holding of a plebiscite, conditions favourable to it should be established as early as possible and thus the wishes of the people may be ascertained.

The Commission is likely to recommend a single mediator, instead of the present five-member body. This single person should have ample authority

and undivided responsibility to approach the parties and bring about a compromise.

Further that they have not quite given up the idea of arbitration and think that this might be considered as a possible method.

They have been considering putting forward recommendations to the Security Council on the following lines:

(1) The present cease-fire line should be maintained, pending final settlement of the future of the State, and both Governments should abstain from any extension of military or civil control beyond the present cease-fire line.

(2) A single mediator be appointed with broad authority from the Council. He should take into consideration

(a) the basic principles contained in the resolutions of the UN Commission which [have] already been agreed to by both Governments,

(b) bringing about the necessary conditions for the conduct of a plebiscite, and

(c) the Security Council should consult representatives of the two Governments in order to determine the terms of reference of the mediator. This should include the possibility of arbitration in regard to any issue involving demilitarisation.

Taken as a whole, this approach is unsatisfactory. It does not differ greatly from the previous approach, except for the fact that there is one mediator instead of five members of the Commission. If the old approach is followed, then the old deadlock continues. So far as arbitration is concerned, we have made it clear that this is not applicable in the present circumstances.

The whole point of a reconsideration of the position by the Security Council is that a way might be found out of the present deadlock. If a mediator has to be appointed, then he must have full authority to explore every possible avenue which might lead to a settlement. He must not be bound by what has taken place previously. Of course he will no doubt take into consideration past history and the resolutions of the Security Council and the Commission. But, otherwise he should be given a free hand. Arbitration should be ruled out completely.

We cannot rule out a plebiscite, however impracticable it may have become.

Thus our objective should be to get broader and briefer terms of reference for the single mediator. The mediator should be instructed, with due regard to the resolutions of the Council and the Commission, to suggest a just and peaceful settlement of the dispute over Kashmir, taking into account the

present situation in all its aspects, and the basic facts of history, geography, language and culture of the State.

New Delhi
4 December 1949

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New Delhi
4 February 1950

My dear Vallabhbhai,

I enclose a copy of a telegram received today about an article in the New York Times on Kashmir. Anything more poisonous it is difficult to imagine.

Yours,
Jawaharlal

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

ENCLOSURE

Washington D. C.
3 February 1950

Press Foreign
New Delhi

FOR MENON FROM SEN. UNDER CAPTION "DANGEROUS KASHMIR" NEW YORK TIMES TODAY HAS HALF-COLUMN LEADER CRITICAL OF INDIA. EDITORIAL SAYS INDIA AND PAKISTAN ARE IN PROCESS OF COMMITTING NATIONAL SUICIDE AFTER DISMISSING ORIGINS OF CONFLICT AS BEING IRRELEVANT. EDITORIAL SAYS THAT PAKISTAN SUGGESTED MINOR CHANGES OF NO IMPORTANCE TO MCNAUGHTON'S PROPOSAL WHILE INDIA "SUBMITTED AMENDMENTS WHICH IN EFFECT WERE REJECTION OF PROPOSAL." EDITORIAL SAYS PLAIN FACT OF MATTER IS THAT FOR ALL PRACTICAL PURPOSES INDIA IS REFUSING ARBITRATION. INDIANS CANNOT BLAME OUTSIDERS FOR DRAWING CONCLUSION THAT THEY CONSIDER THEIR CASE TOO WEAK TO BEAR TEST OF SOLUTIONS THAT IMPARTIAL FIVE NATION UN COMMISSION AND EQUALLY IMPARTIAL NEGOTIATOR HAVE PUT FORWARD. INDIA SEIZED HYDERABAD BECAUSE IT WAS RACIALLY AND OVERWHELMINGLY HINDU STATE WITH A MOSLEM PRINCE. SHE IS CLAIMING KASHMIR AN OVERWHELMING MOHAMMEDAN STATE RACIALLY BECAUSE ITS HINDU RULER SIGNED INSTRUMENT OF ACCESSION TO INDIA. IT LOOKS LIKE GETTING BEST OF BOTH WORLDS. INDIANS

CONTEND THAT PAKISTAN IS NOT JUST PARTY TO KASHMIR DISPUTE. UN REPRESENTATIVES DO NOT AGREE. IF INDIA IS IN GOOD FAITH SHE WILL ACCEPT UN MEDIATION. TIME HAS COME FOR BOTH STATES TO SHOW MORE GOODWILL ON ISSUE THAT IS PERILOUS FOR MORE NATIONS THAN THEIR OWN.

INDEMBASSY

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New Delhi
1 March 1950

My dear Sardarji,

I hope you must have seen the latest proposals put forward by the Chairman of the Security (Council) in regard to the Kashmir issue. In this connection I ascertained the views of my colleagues and handed over a note to the Prime Minister stating our reactions to these proposals. I am herewith sending a copy of this note for your perusal.

With kind regards,

Yours sincerely,
S. M. Abdullah

Hon'ble Sardar Vallabhbhai Patel
New Delhi

ENCLOSURE

HAVING CAREFULLY CONSIDERED THE LATEST DRAFT RESOLUTION OF THE SECURITY COUNCIL, THE GOVERNMENT OF JAMMU AND KASHMIR HAVE ARRIVED AT THE FOLLOWING CONCLUSIONS:

1. Ever since India lodged her complaint in the Security Council, the Representatives of the UK Government have attempted to avoid a clear decision on the basic complaint and tried to shift the position in favour of Pakistan. The Government of USA and those under its influence have also from time to time endorsed this attitude of the UK Government. The Kashmir dispute has, therefore, come to be viewed in the context of the present international situation with its compelling necessity upon the Governments of UK and USA to make concessions to the Pakistan Government with a view to gaining its goodwill and support. Naturally, whatever proposals have emanated from these Governments for the settlement of the Kashmir dispute have, overtly and covertly, favoured the position of the Paskistan Government.

Unfortunately, the conflict in the points of view of the major Powers inside the UNO greatly influences and prejudices its decisions on various matters. It will be recalled that at the time of the appointment of the UNCIP by the Security Council, when the Government of India nominated Czechoslovakia on the Commission, the membership of this Commission was expanded to include two more nominees favourable to the Governments of USA and UK. The purpose of this expansion, decided upon at the last minute, was to swamp the views of the Czechoslovakian member with an overwhelming majority vote. The UNCIP, then, proceeded to settle the dispute by negotiations during which it steadily conceded one point after another to Pakistan, ignoring the basic issues of the dispute, and manoeuvred in such a way that India, and not Pakistan, was made to appear to be in the wrong in its stand.

From the Commission's report, as well as from the minority report of the Czech member, it is clear that the presence of representative of a Government not favouring the foreign policy of the Governments of USA and UK was felt to be very embarrassing and the Commission suggested the appointment of a single mediator on the ground that a Commission with a composite membership was fettered in its decisions by the differences of opinion amongst its various members. The McNaughton proposals and the latest resolution, viewed in this context, reveal that the dissolution of the UNCIP and the appointment of a one-man mediator have been stressed for the obvious purpose of presenting a uniform decision conforming to the requirements of the avowed policies of the Governments of USA and UK.

Thus a decision on the merits of the case has been sought to be avoided. All along Pakistan, against whom the complaint was directed, was being conceded one point after another, so that India at present stands in a guilty position in the eyes of several members of the UNO. The latest proposals are a final attempt to push India out of her argument, so that Pakistan, having scored so much so far, would be afforded the means to be ultimately an absolute master of the situation in Kashmir. It is a matter of great concern to us that the fundamental points in dispute have thus been hedged by considerations of power politics and the basic issues are entirely clouded. The Security Council has even shelved the Commission's report for fear that its discussion might lead to the discussion of the minority report also, which exposes in no uncertain terms the [discreditable] methods in the functioning of the Commission. To avoid this, the operative parts of its decisions were sought to be incorporated in the McNaughton proposals. We have already rejected them for obvious reasons, and now that the latest resolution is based upon these proposals nothing has happened to change substantially our opinion about them.

A perusal of the resolution reveals, amongst other things, that the one-man mediator, whose functions are supposed to bridge the area of disagreement

between the two Governments, has been invested with arbitrary powers to arrogate to himself the position of a final arbitrator in the outstanding points of dispute, as well as the authority to interpret the terms of the agreements so far reached between the two Govts. From the experience of the past, there should be no doubt that the appointment of an independent and impartial person, however high his standing may be, cannot be expected in view of the present mood of the Security Council. Since all the suggestions for the settlement of the dispute which have come from the Govts. of USA and UK as well as from their proteges have consistently favoured Pakistan, there is reason to believe that the appointment of the mediator will also be influenced by this consideration. The principle of mediation can be acceptable to us only if the Commission for mediation has wider terms of reference, including the investigation of the basic causes of India's complaint, and if its composition is based upon the representation of the major parties to the dispute as well as the two major powers inside the Security Council.

In seeking India's agreement to the latest proposals, it is clear that she is sought to be hustled into a commitment, from which she will not be able to retract later. The absence of the Soviet delegation from the Security Council is being taken advantage of in order to cut off all support to India's case on its merits. We feel that the Govts. of USA and UK are keen on taking the matter out of the Security Council, so that the cleavage in the points of view of the two major sides may not expose the proposals to the risk of their discussion and possible rejection at the hands of the Soviet delegation. We also feel that India should avail herself of the opportunity of the absence of the Soviet delegation and press for a unanimous and concurrent vote of the permanent members of the Security Council on the acceptance or otherwise of these proposals, without which their validity is in question. Acceptance at this stage would be undesirable for another reason also. The Soviet delegation has made it clear that any decision arrived at in their absence would be unacceptable to them and in case India agrees to the proposals she will unnecessarily antagonise them and at the same time gain nothing in return.

It is, therefore, our considered opinion that the present resolution of the Security Council, based as it is on the untenable assumptions of the McNaughton proposals, is totally unacceptable to us. We want to make it clear once again that any solution which ignores the basic complaint of India and seeks to violate the integrity of the State and the sovereignty of its lawful Govt., will only perpetuate the conflict in Kashmir and such concessions would constitute a breach of the basic principles of the UN Charter.

Abdullah
Prime Minister,
Jammu & Kashmir State

28-2-50

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EXTRACT

Dehra Dun
3 July 1950

My dear Jawaharlal,

I am getting rather worried about Kashmir, particularly the attitude of Sheikh Sahib, his failure to deal with the Communist infiltration in the State, and the dissensions in the National Conference. I have had a talk with P. C. Chaudhuri.[1] From what he tells me it appears that both the National Conference and Sheikh Sahib are losing their hold on the people of the Valley and are becoming somewhat unpopular. At the same time, it appears that there is a marked appreciation of what we have done for the Valley though they naturally feel that they deserve more. In such circumstances and in the world situation today, I agree with you that a plebiscite is unreal. Not only that, it would be positively dangerous because my own feeling is that once the talk starts, the non-Muslims in Jammu and Kashmir would start feeling uneasy and we might be faced with an exodus to India. This would be an additional point to emphasise in respect of our stand that the conditions preliminary to plebiscite should be fully and effectively fulfilled before we can talk of it.

Yours
Vallabhbhai Patel

The Hon'ble Pandit Jawaharlal Nehru

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Ministry of States
New Delhi
4 October 1950

My dear Shankar,

Reference the Abolition of Zamindari Bill sent by Sheikh Sahib. When I was at Srinagar he was most anxious that this

1 Secretary, Ministry of Information and Broadcasting

Bill should become law at once as their Kharif [summer harvest] has begun and people were very uncertain as to who is to pay what and to whom. Sheikh Sahib was also very difficult over a provision being put in the law expressly exempting His Highness the Maharaja's orchards. He argued that an express provision of that sort would put him wrong with his people and since it was not obligatory on his Government to take all the orchards in the State, the matter of the Maharaja's orchards could well be left over for further consultation between the Government of India and the Government of Jammu and Kashmir. I took the case to H.M. Transport[1] and we went into the various points raised by me and by the Law Ministry (the latter have not raised any new important point beyond drafting points). H.M. Transport said that the best plan would be to invite Sheikh Abdullah to Delhi along with his legal adviser and I have written to the Sheikh accordingly. The two points of substance for settling with the Sheikh are (1) His Highness' orchards and (2) an enabling provision for the landlord to acquire khud kast[2] in the land left to him.

2. H.M. Transport has also asked that I should put up the case to the Foreign Affairs Committee. If this meets with H.M.'s approval, I shall prepare the case for submission to this Committee of Cabinet.

Yours sincerely,
Vishnu Sahay

Shri V. Shankar, ICS
Private Secretary to H.M. States

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New Delhi
10 October 1950

My dear Sardarji,

With reference to our talk last evening, I have since been informed that V.P. [Menon] will not be returning today and that he might return tomorrow or the day after.

Sheikh Abdullah came to see me last night and I have asked him to stay on for today. I did so in the hope that V.P. would be here and you would be in a position to settle the matter today. For more reasons than one, I shouldn't like to ask Sheikh Abdullah

[1] N. Gopalaswami Ayyangar
[2] Self-cultivated land

to stay on here indefinitely. The sooner we close this controversy the better.

As I told you, the only matter that is sticking is the one relating to lands which are the private property of the Maharaja. Most of these are orchards and the new law will not affect orchards. In the list that I have seen, there are only two properties which could be land cultivated with agricultural crops. These have since last year been assessed to land revenue. They are, therefore, practically on the same footing as agricultural land belonging to any other private person. The new law affects ownership of all agricultural land [although] under orders issued by the Maharaja himself over twenty years ago all property belonging to him was exempt from any kind of tax. Unless he is permitted to give himself this exemption even in the future, these lands cannot be treated differently from lands belonging to others. As I told you, the number of properties affected is small and it seems to me that to bring cultivated land belonging to the Maharaja under the new law could not reasonably be considered to be unfair.

I am sorry to trouble you, but it would be helpful if you can consider this matter today so that final instructions could issue to the Yuvraj about the assent to this new piece of legislation.

As I told you, other matters relating to this legislation, about which there was some difference of opinion between the J & K Government and the Government of India, have been satisfactorily settled.

Sheikh Abdullah urges that this is a matter of urgency because the kharif crops are due for harvest very shortly and this law has to be in force in order that the Government's grain collections might go through smoothly.

Yours sincerely,
Gopalaswami

The Hon'ble Sardar Vallabhbhai Patel
New Delhi

New Delhi
10 October 1950

My dear Gopalaswami,

Thank you for your letter of 10 October 1950.

Frankly speaking, I do not understand why there should be an urgency in regard to the private property of the Maharaja. I can understand some reasons for urgency about the proposed legislation, but it should not be difficult to separate the question of the Maharaja's property from that legislation and to pursue it further in consultation with the Maharaja himself.

After all, the Jammu & Kashmir Government has no legislature. One point on which I felt quite strongly when the case came up before me was that the Jammu & Kashmir Government should consult public opinion before they pushed through such controversial legislation. There can be no getting away from the fact that at present legislation in Jammu & Kashmir is a mere fiat of the Government. If for some reason or the other we are forced to concede that public opinion need not be consulted, it is impossible to do so in the case of the Maharaja, having regard to the settlements which we have reached about private property both with him and other Princes. We have no information as to the purpose for which these various lands are being used, whether there are any tenants and whether His Highness can part with them. There is also the question that, for the time being, the Maharaja is the Ruler of the State and as such there can be some justification for the view that his lands should not be covered by legislation but by separate negotiations.

On all these grounds, I feel that if the matter has to be dealt with in a hurry the least we can do is to exempt these lands from the proposed legislation, but if the legislation can wait, it would be best to discuss this matter with the Maharaja and try to come to an amicable settlement, as we have done in the case of other Rulers, though not in any similar transaction. I have no doubt myself that, if things were properly put to the Maharaja having regard to the actual uses to which various lands are being put, we might be able to settle this matter without the need for the legislation covering those lands.

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We have also to bear in mind that under the formula which you have proposed the lands which will be taken away from the Maharaja come to about 1,500 acres; the lands which will be left with him after this transaction may not come up to this figure. In other words, we would be adversely affecting the Maharaja's interests to the extent of at least half the landed property which we have acknowledged as his private property.

Yours sincerely,
Vallabhbhai Patel

The Hon'ble Mr. N. Gopalaswami Ayyangar
New Delhi

EPILOGUE

Although Sardar Patel was the Minister of States, Kashmir affairs were largely handled by Nehru because of their bearing on India's international relations. This did not mean, however, that Patel did not influence governmental policy on the subject. Indeed, as the correspondence reveals, it was his major task to persuade the Maharaja and his advisers to play their part in bringing about the required adjustments in the constitutional and administrative spheres.

After long and fruitless correspondence with Liaquat Ali, Nehru in a letter dated 22 December 1947 informed the Prime Minister of Pakistan that if Pakistan did not deny the invaders assistance and the use of Pakistan territory for operations against Jammu and Kashmir, India would take such action as was consistent with the provisions of the UN Charter to protect its interests. There was no response from the Pakistan Prime Minister. On 1 January 1948 India submitted a formal complaint to the Security Council.

When the Council took up the matter, Pakistan emphatically denied that it had any part in the invasion.

Between 22 January and 4 February, the Security Council held eight meetings. A number of draft resolutions were put forward by its members.

On 21 April the Council adopted a resolution recommending inter alia the setting up of a Commission (the membership of which had already been established by the Council in its resolution of 20 January 1948) to proceed at once to the Indian sub-continent. India informed the Council that it would not be possible to implement those parts of the resolution to which it had already objected. If, however, the Commission was sent, the Government of India would be glad to confer with it.

When the Commission landed in Karachi on 5 July 1948, Sir Zafrullah Khan confessed to the Commission that three Pakistani brigades had been on Kashmir territory since May. He explained this incursion as an act of self-defence.

Two years later, on 15 September 1950, Sir Owen Dixon, who succeeded the Commission as UN Representative for India and Pakistan, reached the conclusion:

> " . . . when the frontier of the State of Jammu and Kashmir was crossed . . . by the hostile elements, it was contrary to international law and when in May 1948 units of the regular Pakistan forces moved into the territory of the State, that too was inconsistent with international law."

The legality of the State's accession to India was not questioned by the Security Council or the Commission. In fact, on 4 February 1948, the U.S. Representative in the Security Council said:

> "The external sovereignty of Kashmir is no longer under the control of the Maharaja. . . . With the accession of Jammu and Kashmir to India, this foreign sovereignty went over to India and is exercised by India, and that is how India happens to be here as a petitioner."

The UN Commission achieved little except to bring about a cease-fire on 1 January 1949 followed by a cease-fire line for the observance of which a group of UN observers was posted on each side. Its resolution required the withdrawal of Pathan tirbesmen and Pakistani nationals and its armed forces from the State. India's responsibility for internal security as well as the legality of the Jammu and Kashmir Government was recognised by the Commission. After Pakistan had carried out its obligations and in consultation with India, arrangements were to be considered for the holding of a plebiscite. As Pakistan never honoured its obligations, the resolution about plebiscite became infructuous.

In April 1954, the Council appointed another representative, Dr Frank Graham, to bring about demilitarisation of Kashmir in co-operation with the Governments of India and Pakistan. Dr Graham toiled for two years to induce India and Pakistan to agree to a plan of demilitarisation and withdrawal of Indian and Pakistani troops. The negotiations floundered on the quantum and character of Indian forces remaining in Kashmir after the withdrawal of Pakistani troops.

The Prime Ministers of India and Pakistan met in August 1953 for direct negotiations. They agreed that preliminary measures concerning demilitarisation would have to be undertaken and when this task was done, a plebiscite administrator should take the necessary steps to secure a fair and impartial plebiscite throughout the State. Once again Pakistan failed to honour its obligations.

Meanwhile, Pakistan agreed to accept U.S. military aid. Nehru, reacting to this development, told the Indian Parliament

on 1 March 1954: "This grant of military aid by the U.S. to Pakistan creates a grave situation for us in India and for Asia. It adds to our tensions. It makes it much more difficult to solve the problems which have confronted India and Pakistan. . . . There has thus far been no agreement on this issue (demilitarisation in Kashmir). Now the whole issue has to be considered from an entirely different point of view when across the border, across the cease-fire line on the other side, large additional forces are being thrust from outside in Pakistan and put at the disposal of Pakistan. It does make a difference."

Addressing a Press Conference in Srinagar in July 1955, Pandit Pant, then Home Minister, said that the Government of India had made certain statements when Kashmir acceded to India—namely that the future of the State would be decided by a plebiscite. But circumstances were then different. The time factor was important and many things had happened since, which ruled out a plebiscite. He made the statement when Mr Nehru was on a foreign tour.

Dr Gunnar Jarring, Sweden's representative in the Security Council, said in the Council on 24 January 1957: "Thus, for the time being, the present demarcation line must be respected. This implies that the use of force aimed at changing the status quo must be excluded." This official attitude to the cease-fire line was later repudiated by President Ayub Khan in an attempt to seize Kashmir by force in August 1965. This led to Indo-Pakistan war. However, before the development, Jarring, as Council Representative, and once again Dr Graham, tried their hand at finding a solution. But both failed because of their unrealistic attitude to the issue.

A new dimension has been added to the Kashmir problem by the changing attitude of Mao's China. At a Press Conference in Calcutta on 9 December 1956, Prime Minister Chou En-lai characterised the Kashmir question as "an outstanding issue between India and Pakistan." A fortnight later he stated at Karachi: "I hope Pakistan and India will settle the question directly between themselves." It is significant that a joint statement issued by Chou En-lai and Prime Minister Cyrankiewicz of Poland in Peking on 11 April 1957 expressed the view that the Kashmir question "should be settled by the countries concerned through peaceful negotiations and should not be allowed to be made use of by external forces to create new tensions."

Even as late as 31 May 1962, the Chinese Government stated in a note sent to the Government of India: "This attitude of the

Chinese Government of never getting involved in the dispute over Kashmir can in no way be distorted and is well known throughout the world. . . . The Chinese Government only hopes that the dispute between India and Pakistan will be settled by them peacefully; it has always been against anyone taking advantage of it to sow discord in the relations between the two countries."

Mr B. L. Sharma has recalled in his book "The Story of Kashmir" (Asia Publishing House), a significant development that took place earlier on 16 May 1959, when the Chinese Ambassador in New Delhi called on the Foreign Secretary and said: "On the whole India is a friend of China, this has been so in the past thousand and more years and we believe will certainly continue to be so in one thousand, ten thousand years to come. The enemy of the Chinese people lies in the East—the U.S. imperialists have many military bases in Taiwan, in South Korea, Japan and in the Philippines which are all directed against China. China's main attention and policy of struggle are directed to the East, to the West Pacific region, to the vicious and aggressive U.S. imperialism, and not to India or any other country in South-East Asia and South Asia. Although the Philippines, Thailand and Pakistan have joined SEATO which is designed to oppose China, we have not treated these three countries as our principal enemy; our principal enemy is U.S. imperialism. India has not taken part in the South-East Asia Treaty; it is not an opponent, but a friend to our country. China will not be so foolish as to antagonise the United States in the East and again to antagonise India in the West."

And then the Chinese Ambassador went on to ask the Foreign Secretary: "It seems to us that you too cannot have two fronts. Is it not so?"

This was an obvious hint that if India did not agree to China's territorial demands it should be prepared to face two enemies. This coincided with moves behind the scenes for Sino-Pakistan collusion against India.

In 1960, President Ayub visited Delhi and had inconclusive talks with Mr Nehru. Pakistan, in the meantime, was building up its armed strength with U.S. military hardware, and trying to focus world attention on Kashmir by reviving the controversy in the Security Council in June 1962.

On 5 August 1965, several thousand Pakistani soldiers in civilian disguise crossed the cease-fire line and the international border, meeting with stiff resistance. When the operation did not succeed, on 1 September the Pakistan army with armour,

supported by artillery, committed another aggression in Kashmir across the cease-fire line and the international border. The Indian Army hit back by marching towards Lahore, a diversionary tactic to relieve pressure in the Chhamb-Jaurian sector in Jammu. The hostilities lasted 21 days. The issue was discussed by the Security Council and the Secretary-General, U Thant, visited India and Pakistan to find a formula acceptable to both countries. The resolution of the Security Council is given in Appendices twenty-three and twenty-four.

Meanwhile Peking in a note addressed to the Government of India on 16 September 1965 had stated: "The Chinese Government has consistently held that the Kashmir question should be settled on the basis of respect for the Kashmir people's right of self-determination as pledged to them by India and Pakistan. That is what is meant by China's non-involvement in the dispute between India and Pakistan."

Three days later Peking sent another note in which it said: "The Chinese Government gives all-out support to the people of Kashmir in their struggle for the right of national self-determination." The note unabashedly converted the Indian citizens of Kashmir into a nation with a right to have an independent, sovereign existence. This meant a major shift in Peking's policy.

The Soviet Prime Minister, Mr Kosygin, in an attempt to bring about peace between the two countries, invited Mr Lal Bahadur Shastri, Indian Prime Minister, and Pakistan President Ayub Khan for talks at Tashkent. The parleys resulted in an agreement (Tashkent Declaration) signed by the heads of the three Governments on 10 January 1966. The Declaration provided for the withdrawal of forces and laid down conditions for promoting friendly relations between India and Pakistan. Its text is given in Appendix twenty-five.

The Declaration has been registered with the United Nations and is an international agreement.

APPENDICES

APPENDIX ONE

THE TREATY OF AMRITSAR, 1846

TREATY BETWEEN THE BRITISH GOVERNMENT on the one part and MAHARAJA GULAB SINGH OF JAMMU on the other concluded on the part of the BRITISH GOVERNMENT by FREDERICK CURRIE, Esquire, and BREVET-MAJOR HENRY MONTGOMERY LAWRENCE, acting under the orders of the RIGHT HONOURABLE SIR HENRY HARDINGE, G.C.B., one of HER BRITANNIC MAJESTY'S MOST HONOURABLE PRIVY COUNCIL, GOVERNOR-GENERAL of the possession of the EAST INDIA COMPANY, to direct and control all their affairs in the EAST INDIES and by MAHARAJA GULAB SINGH in person—1846

Article 1 : The British Government transfers and makes over for ever in independent possession to Maharaja Gulab Singh and the heirs male of his body all the hilly or mountainous country with its dependencies situated to the eastward of the River Indus and the westward of the River Ravi including Chamba and excluding Lahaul, being part of the territories ceded to the British Government by the Lahore State according to the provisions of Article IV of the Treaty of Lahore, dated 9th March, 1846.

Article 2 : The eastern boundary of the tract transferred by the foregoing article to Maharaja Gulab Singh shall be laid down by the Commissioners appointed by the British Government and Maharaja Gulab Singh respectively for that purpose and shall be defined in a separate engagement after survey.

Article 3 : In consideration of the transfer made to him and his heirs by the provisions of the foregoing article Maharaja Gulab Singh will pay to the British Government the sum of 75 lakhs of rupees (*Nanukshahee*), 50 lakhs to be paid on ratification of this Treaty and 25 lakhs on or before 1 October of the current year, A.D. 1846.

Article 4 : The limits of the territories of Maharaja Gulab Singh shall not be at any time changed without concurrence of the British Government.

Article 5 : Maharaja Gulab Singh will refer to the arbitration of the British Government any disputes or questions that may arise between himself and the Government of Lahore or any other neighbouring State, and will abide by the decision of the British Government.

Article 6 : Maharaja Gulab Singh engages for himself and heirs to join, with the whole of his Military Forces, the British troops, when employed within the hills or in the territories adjoining his possessions.

Article 7 : Maharaja Gulab Singh engages never to take or retain in his service any British subject nor the subject of any European or Amercian State without the consent of the British Government.

Article 8 : Maharaja Gulab Singh engages to respect in regard to the territory transferred to him, the provisions of Articles V, VI and VII of the separate Engagement between the British Government and the Lahore Durbar, dated 11 March 1846.*

Article 9 : The British Government will give its aid to Maharaja Gulab Singh in protecting his territories from external enemies.

Article 10 : Maharaja Gulab Singh acknowledges the supremacy of the British Government and will in token of such supremacy present annually to the British Government one horse, twelve shawls-goats of approved breed (six male and six female) and three pairs of Cashmere shawls.

The treaty of ten articles has been this day settled by Frederick Currie, Esquire, and Brevet-Major Henry Montgomery Lawrence, acting under directions of The Right Honourable Sir Henry Hardinge, G.C.B., Governor-General on the part of the British Government and by Maharaja Gulab Singh in person, and the said treaty has been this day ratified by the seal of The Right Honourable Sir Henry Hardinge, G.C.B., Governor-General.

(Done at Amritsar sixteenth day of March, in the year of our Lord one thousand eight hundred and forty-six, corresponding with the seventeenth day of Rubee-ul-Awal 1262 Jigree).

H. Hardinge (Seal)

F. Currie
H. M. Lawrence

By order of the Right Honourable the Governor-General of India.

F. Currie
Secretary to the Government of India,
with the Governor-General

* Referring to jagirdars, arrears to revenue, and the property in the forts that are to be transferred

APPENDIX TWO

MEMORANDUM ON STATES' TREATIES AND PARAMOUNTCY PRESENTED BY THE CABINET MISSION TO HIS HIGHNESS THE CHANCELLOR OF THE CHAMBER OF PRINCES ON 12 MAY 1946

1. Prior to the recent statement of the British Prime Minister in the House of Commons an assurance was given to the Princes that there was no intention on the part of the Crown to initiate any change in their relationship with the Crown or the rights guaranteed by their treaties and engagements without their consent. It was at the same time stated that the Princes' consent to any changes which might emerge as a result of negotiations would not unreasonably be withheld. The Chamber of Princes has since confirmed that the Indian States fully share the general desire in the country for the immediate attainment by India of her full stature. His Majesty's Government have now declared that if the successor Government or Governments in British India desire independence, no obstacle would be placed in their way. The effect of these announcements is that all those concerned with the future of India wish her to attain a position of independence within or without the British Commonwealth. The Delegation have come here to assist in resolving the difficulites which stand in the way of India fulfilling this wish.

2. During the interim period, which must elapse before the coming into operation of a new constitutional structure under which British India will be independent or fully self-governing, paramountcy will remain in operation. But the British Government could not and will not in any circumstances transfer paramountcy to an Indian Government.

3. In the meanwhile, the Indian States are in a position to play an important part in the formulation of the new constitutional structure for India, and His Majesty's Government have been informed by the Indian States that they desire, in their own interests and in the interests of India as a whole, both to make their contribution to the framing of the structure, and to take their due place in it when it is completed. In order to facilitate this they will doubtless stengthen their position by doing everything possible to ensure that their administrations conform to the highest standard. Where adequate standards cannot be achieved within the existing resources of the State they will no doubt arrange in suitable cases to form or join administrative units large enough to enable them to be fitted into the constiutional structure. It will also strengthen the position of States during this formulative period if the various Governments which have not already done so take active steps to

place themselves in close and constant touch with public opinion in their State by means of representative institutions.

4. During the interim period it will be necessary for the States to conduct negotiations with British India in regard to the future regulation of matters of common concern, especially in the economic and financial field. Such negotiations, which will be necessary whether the States desire to participate in the new Indian constitutional structure or not, will occupy a considerable period of time, and since some of these negotiations may be incomplete when the new structure comes into being, it will, in order to avoid administrative difficulties, be necessary to arrive at an understanding between the States and those likely to control the successor Government or Governments that for a period of time the then existing arrangements as to these matters of common concern should continue until the new agreements are completed. In this matter, the British Government and the Crown Representative will lend such assistance as they can should it be so desired.

5. When a new fully self-governing or independent Government or Governments come into being in British India, His Majesty's Government's influence with these Governments will not be such as to enable them to carry out the obligations of paramountcy. Moreover, they cannot contemplate that British troops would be retained in India for this purpose. Thus, as a logical sequence and in view of the desires expressed to them on behalf of the Indian States, His Majesty's Government will cease to exercise the powers of paramountcy. This means that the rights of the States which flow from their relationship to the Crown will no longer exist and that all the rights surrendered by the States to the paramount power will return to the States. Political arrangements between the States on the one side and the British Crown and British India on the other will thus be brought to an end. The void will have to be filled either by the States entering into a federal relationship with the successor Government or Governments in British India, or failing this, entering into particular political arrangements with it or them.

APPENDIX THREE

STATEMENT MADE BY HIS MAJESTY'S GOVERNMENT, 3 JUNE 1947

THE STATES

His Majesty's Government wish to make it clear that the decisions announced above relate only to British India and that their policy towards Indian States contained in the Cabinet Mission Memorandum of 12 May 1946 remains unchanged.

APPENDIX FOUR

CROWN REPRESENTATIVE LORD LOUIS MOUNTBATTEN'S ADDRESS TO A SPECIAL FULL MEETING OF THE CHAMBER OF PRINCES ON JULY 25 1947

It is a great pleasure and a great privilege for me to address so many Rulers, Dewans and Representatives of the States of India in this historic Chamber of Princes. It is the first and the last occasion that I have the privilege of addressing you as Crown Representative.

I would like to begin by giving you a very brief history of the negotiations I had conducted since I have been out here and the line that I have taken up about the States.

There were two distinct problems that faced me. The first was how to transfer power to British India and the second, how to fit Indian States into the picture in a manner which would be fair and just to all concerned.

I dealt first with the problem of British India, because you will realize that until that problem was solved it was quite useless to try to start on a solution of the problem of the States. So I addressed my mind to the former.

There had been universal acceptance among the States of the Cabinet Mission's Memorandum of 12 May and when the political parties accepted the Statement of 3 June they fully realized and accepted [that] the withdrawal of paramountcy would enable the States to regain complete sovereignty. That gave me a starting point from which to try and deal fairly with the States.

But before I got down to dealing with the States there was one other thing that I clearly had to do. I had to address myself to the problem of the mechanics of partition—a plan against my personal desires. As you all know, it took three years to separate Burma from India, in spite of the fact (as I can testify, as also His Highness of Bundi and others who fought in Burma) that there are no roads running between India and Burma. Nevertheless, it took three years to arrange that partition. It took two years to separate the province of Sind from Bombay. It took two years to separate the province of Orissa from Bihar. Gentlemen, we decided that in less than two and a half months we shall have to go through the partitioning of one of the biggest countries in the world with 400 million inhabitants. There was a reason for the speed. I was quite certain that while the British overlordship remained no satisfactory conclusion could be reached psychologically between the parties. So once we got the two Governments set up and separated, they would be able to try and finish off the details in an atmosphere of goodwill.

Now, the Indian Independence Act releases the States from all their obligations to the Crown. The States will have complete freedom—technically and legally they become independent. Presently I will discuss the degree of independence which we ourselves feel is best in the interests of your own States. But there has grown up during the period of British administration, owing to the fact that the Crown Representative and the Viceroy are one and the same person, a system of co-ordinated administration on all matters of common concern which meant that the subcontinent of India acted as an economic entity. That link is now to be broken. If nothing can be put in its place, only chaos can result, and that chaos, I submit, will hurt the States first—that bigger the State the less the hurt and the longer it will take to feel it—but even the biggest of the States will feel the hurt just the same as any small State.

The first step was to set up some machinery by which it was possible to put the two future Governments of India—the Dominions of India and Pakistan—into direct touch with the States. So I conceived the scheme of setting up two States Departments within the future Governments. Please note that these States Departments are not successors of the Political Department. They have been set up simultaneously and side by side. While the Political Department exercised functions relating to paramountcy on behalf of the Crown Representative, the States Departments are to take over those subjects gradually which have nothing to do with paramountcy but which will be concerned with relations with neighbouring States and also provide the machinery to negotiate in such matters. In India, the States Department is under the admirable guidance of Sardar Vallabhbhai Patel with my own Reforms Commissioner, Mr. V. P. Menon, as Secretary. In Pakistan the Department is under Sardar Abdur Rab Nishtar with Mr. Ikramullah as Secretary.

It was necessary to set up two States Departments, one in each Government, because the States are theoretically free to link their future with whichever Dominion they may care. But when I say that they are at liberty to link up with either of the Dominions, may I point out that there are certain geographical compulsions which cannot be evaded? Out of something like 565 States, the vast majority are irretrievably linked geographically with the Dominion of India. The problem therefore is of far greater magnitude with the Dominion of India than it is with Pakistan. In the case of Pakistan the States, although important, are not so numerous, and Mr. Jinnah, the future Governor-General of Pakistan, is prepared to negotiate the case of each State separately and individually. But in the case of India where the overwhelming majority of the States are involved, clearly separate negotiation with each State is out of the question.

The first step that I took was to suggest that in the Bill before Parliament—the Indian Independence Act—a clause should be put which would enable

certain essential agreements to continue until renounced by either side. That was only done to ensure that there should be some continuity if in the short time available it was not possible to get the agreement through with every State representative. It does not replace the need for standstill agreements; it gives a very slight breathing space.

Now, I think it is no exaggeration to say that most Rulers and Dewans were apprehensive as to what their future would be when paramountcy lapsed. At one time it appeared that unless they joined the Constituent Assembly and accepted the Constitution when it was framed, they would be outside the organisation and left in a position which, I submit, no State could view with equanimity—left out and having no satisfactory relations or contacts with either Dominion Government. You can imagine how relieved I was, and I am sure you will yourselves have been equally relieved, when Sardar Vallabhbhai Patel on taking over the States Department made, if I may say so, a most statesmanlike statement of what he considered were the essentials towards agreement between the States and the Dominion of India.

Let us turn for one moment to the Cabinet Mission Plan of 16 May 1946. In this Plan the proposal was that the States should surrender to the Central Government three subjects—Defence, External Affairs and Communications. That was a Plan which, to the best of my belief, every Ruler and every State accepted as reasonable, fair and just. I talked with so many Rulers and everyone felt that Defence was a matter that a State could not conduct for itself. I am not talking of internal security but of defence against external aggression. I submit that if you do not link up with one or the other of the Dominions, you may be cut off from any sources of supplies of up-to-date arms or weapons.

"External Affairs" is inextricably linked up with Defence. "External Affairs" is something again which is outside to boundaries of India in which not even the greatest State can operate effectively. You can hardly want to go to the expense of having ambassadors or ministers or consuls in all foreign countries; surely you want to be able to use those of India or Pakistan. Once more I suggest that External Affairs is something that you have not dealt with since the formation of the East India Company. It would be difficult to operate and will also be a source of embarrassment for you to have to take it up and it can only be managed by those who manage the defence of the country. I submit that if you take it up it will be a liability and not an asset.

The third subject is communications. "Communications" is really a means of maintaining the life-blood of the whole subcontinent. I imagine everybody agrees that the life of the country has got to go on. The continuity of communications is already provided for to a certain extent in the Indian Independence Act; and most of the representatives here have come to discuss it as Item 2 on the agenda.

Therefore I am sure you will agree that these three subjects have got to be handled for you for your convenience and advantage by a larger organisation. This seems so obvious that I was at a loss to understand why some Rulers were reluctant to accept the position. One explanation probably was that some of you were apprehensive that the Central Government would attempt to impose a financial liability on the States or encroach in other ways on their sovereignty. If I am right in this assumption, at any rate so far as some Princes are concerned, I think I can dispel their apprehensions and misgivings. The Draft Instrument of Accession which I have caused to be circulated as a basis for discussion (and not for publication) to the representatives of the States provided that the States accede to the appropriate Dominion on the three subjects only without any financial liability. Further, that instrument contains an explicit provision that in no other matter has the Central Government any authority to encroach on the internal autonomy or the sovereignty of the States. This would, in my view, be a tremendous achievement for the States. But I must make it clear that I have still to persuade the Government of India to accept it. If all of you will co-operate with me and are ready to accede, I am confident that I can succeed in my efforts. Remember that the day of the transfer of power is very close at hand and, if you are prepared to come, you must come before 15 August. I have no doubt that this is in the best interests of the States, and every wise Ruler and wise Government woud desire to link up with the great Dominion of India on a basis which leaves you great internal autonomy and which at the same time gets rid of your worries and cares over External Affairs, Defence and Communications.

The whole country is passing through a critical period. I am not asking any State to make any intolerable sacrifice of either its internal autonomy or independence. My scheme leaves you with all the practical independence that you can possibly use and makes you free of all those subjects which you cannot possibly manage on your own. You cannot run away from the Dominion Government which is your neighbour any more than you can run away from the subjects for whose welfare you are responsible. Whatever may be your decision, I hope you feel that I have at least done my duty by the States.

APPENDIX FIVE

CONSEQUENCES OF THE SETTING UP OF THE NEW DOMINIONS EXTRACT FROM THE INDIAN INDEPENDENCE ACT, 1947

(1) As from the appointed day—

(a) His Majesty's Government in the United Kingdom have no responsibility as respects the Government of any of the territories which, immediately before that day, were included in British India;

(b) the suzerainty of His Majesty over the Indian States lapses, and with it all treaties and agreements in force at the date of the passing of this Act between His Majesty and the rulers of Indian States, all functions exercisable by His Majesty at that date with respect to Indian States, all obligations of His Majesty existing at that date towards Indian States or the rulers thereof, and all powers, rights, authority or jurisdiction exercisable by His Majesty at that date in or in relation to Indian States by treaty, grant, usage, sufferance or otherwise; and

(c) there lapse also any treaties or agreements in force at the date of the passing of this Act between His Majesty and any persons having authority in the tribal areas, any obligations of His Majesty existing at that date to any such persons or with respect to the tribal areas, and all powers, rights, authority or jurisdiction exercisable at that date by His Majesty in or in relation to the tribal areas by treaty, grant, usage, sufferance or otherwise;

Provided that, notwithstanding anything in paragraph (b) or paragraph (c) of this subsection, effect shall, as nearly as may be, continue to be given to the provisions of any such agreement as is therein referred to which relate to customs, transit and communications, posts and telegraphs, or other like matters, until the provisions in question are denounced by the Ruler of the Indian State or person having authority in the tribal areas on the one hand, or by the Dominion or province or other part thereof concerned on the other hand, or are superseded by subsequent agreements.

(2) The assent of the Parliament of the United Kingdom is hereby given to the omission from the Royal Style and Titles of the words "India Imperator" and the words "Emperor of India" and to the issue by His Majesty for that purpose of His Royal Proclamation under the Great Seal of the Realm.

APPENDIX SIX

ARTICLE 370 OF THE CONSTITUTION OF INDIA

370. (1) Notwithstanding anything in this Constitution,—

(a) the provisions of Article 238 shall not apply in relation to the State of Jammu and Kashmir;

(b) the power of Parliament to make laws for the said State shall be limited to—

(i) those matters in the Union List and the Concurrent List which, in consultation with the Government of the State, are declared by the President to correspond to matters specified in the Instrument of Accession governing the accession of the State to the Dominion of India as the

matters with respect to which the Dominion Legislature may make laws for the State; and

(ii) such other matters in the said Lists as, with the concurrence of the Government of the State, the President may by order specify.

Explanation.—For the purposes of this Article, the Government of the State means the person for the time being recognised by the President as the Maharaja of Jammu and Kashmir acting on the advice of the Council of Ministers for the time being in office under the Maharaja's Proclamation dated the fifth day of March 1948;

(c) the provisions of Article I and of this article shall apply in relation to the State;

(d) such of the other provisions of this Constitution shall apply in relation to that State subject to such exceptions and modifications as the President may by order specify:

Provided that no such order which relates to the matters specified in the Instrument of Accession of the State referred to in paragraph (i) of sub-clause (b) shall be issued except in consultation with the Government of the State:

Provided further that no such order which relates to matters other than those referred to in the last preceding proviso shall be issued except with the concurrence of that Government.

(2) If the concurrence of the Government of the State referred to in paragraph (ii) of sub-clause (b) of clause (1) or in the second proviso to sub-clause (d) of that clause be given before the Constituent Assembly for the purpose of framing the Constitution of the State is convened, it shall be placed before such Assembly for such decision as it may take thereon.

(3) Notwithstanding anything in the foregoing provisions of this Article, the President may, by public notification, declare that this Article shall cease to be operative or shall be operative only with such exceptions and modifications and from such date as he may specify:

Provided that the recommendation of the Constituent Assembly of the State referred to in clause (2) shall be necessary before the President issues such a notification.

APPENDIX SEVEN

ARTICLE 3 OF THE CONSTITUTION OF JAMMU AND KASHMIR

The State of Jammu and Kashmir is and shall be an integral part of the Union of India.

ARTICLE 4 OF THE CONSTITUTION OF JAMMU AND KASHMIR

The territory of the State shall comprise all the territories which on the fifteenth day of August, 1947, were under the sovereignty or suzerainty of the Ruler of the State.

ARTICLE 147 OF THE CONSTITUTION OF JAMMU AND KASHMIR

AMENDMENT OF THE CONSTITUTION

An amendment of this Constitution may be initiated only by the introduction of a Bill for the purpose in the Legislative Assembly, and when the Bill is passed in each House by a majority of not less than two-thirds of the total membership of the House, it shall be presented to the Sadar-i-Riyasat for his assent and, upon such assent being given to the Bill, the Constitution shall stand amended in accordance with the terms of the Bill:

Provided that a Bill providing for the abolition of the Legislative Council may be introduced in the Legislative Assembly and passed by it by a majority of the total membership of the Assembly and by a majority of not less than two-thirds of the members of the Assembly present and voting:

Provided further that no Bill or amendment seeking to make any change in—

(a) this section; or

(b) the provisions of sections 3 and 5; or

(c) the provisions of the Constitution of India as applicable in relation to the State;

shall be introduced or moved in either House of the Legislature.

APPENDIX EIGHT

LETTER OF 26 OCTOBER 1947, FROM MAHARAJA SIR HARI SINGH TO LORD MOUNTBATTEN, REQUESTING THE ACCESSION OF THE STATE TO INDIA

My dear Lord Mountbatten,

I have to inform Your Excellency that a grave emergency has arisen in my State and request the immediate assistance of your Government. As Your Excellency is aware, the State of Jammu and Kashmir has not acceded to either the Dominion of India or Pakistan. Geographically my State is contiguous with both of them. Besides, my State has a common boundary with the Union of Soviet Socialist Republics and with China. In their external relations the Dominions of India and Pakistan cannot ignore this fact. I wanted to take time to

decide to which Dominion I should accede or whether it is not in the best interests of both the Dominions and of my State to stand independent, of course with friendly and cordial relations with both. I accordingly approached the Dominions of India and Pakistan to enter into a standstill agreement with my State. The Pakistan Government accepted this arrangement. The Dominion of India desired further discussion with representatives of my Government. I could not arrange this in view of the developments indicated below. In fact the Pakistan Government under the standstill agreement is operating the post and telegraph system inside the State. Though we have got a standstill agreement with the Pakistan Government, that Government permitted a steady and increasing strangulation of supplies like food, salt and petrol to my State.

Afridis, soldiers in plain clothes, and desperadoes with modern weapons have been allowed to infiltrate into the State, at first in the Poonch area, then from Sialkot and finally in a mass in the area adjoining Hazara district on the Ramkote side. The result has been that the limited number of troops at the disposal of the State had to be dispersed and thus had to face the enemy at several points simultaneously, so that it has become difficult to stop the wanton destruction of life and property and the looting of the Mahura power house, which supplies electric current to the whole of Srinagar and which has been burnt. The number of women who have been kidnapped and raped makes my heart bleed. The wild forces thus let loose on the State are marching on with the aim of capturing Srinagar, the summer capital of my Government, as a first step to overrunning the whole State. The mass infiltration of tribesmen drawn from distant areas of the North-West Frontier Province, coming regularly in motor trucks, using the Mansehra-Mazaffarabad road and fully armed with up-to-date weapons, cannot possibly be done without the knowledge of the Provincial Government of the North-West Frontier Province and the Government of Pakistan. In spite of repeated appeals made by my Government no attempt has been made to check these raiders or to stop them from coming into my State. In fact, both the radio and the Press of Pakistan have reported these occurrences. The Pakistan radio even put out the story that a provisional government has been set up in Kashmir. The people of my State, both Muslims and non-Muslims, generally have taken no part at all.

With the conditions obtaining at present in my State and the great emergency of the situation as it exists, I have no option but to ask for help from the Indian Dominion. Naturally they cannot send the help asked for by me without my State acceding to the Dominion of India. I have accordingly decided to do so, and I attach the instrument of accession for acceptance by your Government. The other alternative is to leave my State and the people to freebooters. On this basis no civilised Government can exist or be maintained. This alternative I will never allow to happen so long as I am the ruler of the State and I have life to defend my country.

I may also inform Your Excellency's Government that it is my intention at once to set up an interim government and to ask Sheikh Abdullah to carry the responsibilities in this emergency with my Prime Minister.

If my State is to be saved, immediate assistance must be available at Srinagar. Mr. V. P. Menon is fully aware of the gravity of the situation and will explain it to you, if further explanation is needed.

In haste and with kindest regards,

Yours sincerely,
Hari Singh

REPLY OF 27 OCTOBER 1947 FROM LORD MOUNTBATTEN TO MAHARAJA SIR HARI SINGH

My dear Maharaja Sahib,

Your Highness' letter dated 26 October 1947 has been delivered to me by Mr. V. P. Menon. In the circumstances mentioned by Your Highness, my Government have decided to accept the accession of Kashmir State to the Dominion of India. In consistence with their policy that in the case of any State where the issue of accession has been the subject of dispute, the question of accession should be decided in accordance with the wishes of the people of the State, it is my Government's wish that, as soon as law and order have been restored in Kashmir and its soil cleared of the invader, the question of the State's accession should be settled by a reference to the people.

Meanwhile, in response to Your Highness' appeal for military aid, action has been taken today to send troops of the Indian Army to Kashmir, to help your own forces to defend your territory and to protect the lives, property, and honour of your people. My Government and I note with satisfaction that Your Highness has decided to invite Sheikh Abdullah to form an interim Government to work with your Prime Minister.

Mountbatten of Burma

APPENDIX NINE

INSTRUMENT OF ACCESSION OF JAMMU AND KASHMIR STATE

The following is the text of the Instrument of Accession executed by the Ruler of Jammu and Kashmir State on 26 October 1947.

Whereas the Indian Independence Act, 1947, provides that as from the fifteenth day of August 1947, there shall be set up an independent Dominion known as India, and that the Government of India Act, 1935, shall, with such omissions, additions, adaptations and modifications as the Governor-General may by order specify be applicable to the Dominion of India;

And whereas the Government of India Act, 1935, as so adapted by the Governor-General provides that an Indian State may accede to the Dominion of India by an Instrument of Accession executed by the Ruler thereof:

Now, therefore,

I, Shriman Indar Mahandar Rajrajeshwar Maharajadhiraj Shri Hari Singhji, Jammu Kashmir Naresh Tatha Tibbet adi Deshadhipathi, Ruler of Jammu and Kashmir State, in the exercise of my sovereignty in and over my said State Do hereby execute this my Instrument of Accession and

1. I hereby declare that I accede to the Dominion of India with the intent that the Governor-General of India, the Dominion Legislature, the Federal Court and any other Dominion authority established for the purposes of the Dominion shall, by virtue of this my Instrument of Accession, but subject always to the terms thereof, and for the purposes only of the Dominion, exercise in relation to the State of Jammu and Kashmir (hereinafter referred to as "this State") such functions as may be vested in them by or under the Government of India Act, 1935, as in force in the Dominion of India on the 15th day of August 1947 (which Act as so in force is hereafter referred to as "the Act").

2. I hereby assume the obligation of ensuring that due effect is given to the provisions of the Act within this State so far as they are applicable therein by virtue of this my Instrument of Accession.

3. I accept the matters specified in the Schedule hereto as the matters with respect to which the Dominion Legislature may make laws for this State.

4. I hereby declare that I accede to the Dominion of India on the assurance that if an agreement is made between the Governor-General and the Ruler of this State whereby any functions in relation to the administration in this State of any law of the Dominion Legislature shall be exercised by the Ruler of this State, then any such agreement shall be deemed to form part of this Instrument and shall be construed and have effect accordingly.

5. The terms of this my Instrument of Accession shall not be varied by any amendment of the Act or of the Indian Independence Act, 1947, unless such amendment is accepted by me by an Instrument supplementary to this Instrument.

6. Nothing in this Instrument shall empower the Dominion Legislature to make any law for this State authorising the compulsory acquisition of land for any purpose, but I hereby undertake that should the Dominion for the purposes of a Dominion law which applies in this State deem it necessary to acquire any land, I will at their request acquire the land at their expense or if the land belongs to me transfer it to them on such terms as may be agreed, or, in default of agreement, determined by an arbitrator to be appointed by the Chief Justice of India.

7. Nothing in this Instrument shall be deemed to commit me in any way to acceptance of any future constitution of India or to fetter my discretion to enter into arrangements with the Government of India under any such future constitution.

8. Nothing in this Instrument affects the continuance of my sovereignty in and over this State, or, save as provided by or under this Instrument, the exercise of any powers, authority and rights now enjoyed by me as Ruler of this State or the validity of any law at present in force in this State.

9. I hereby declare that I execute this Instrument on behalf of this State and that any reference in this Instrument to me or to the Ruler of the State is to be construed as including a reference to my heirs and successors.

Given under my hand this twenty-sixth day of October, nineteen hundred and forty-seven.

Hari Singh
Maharajadhiraj of Jammu and
Kashmir State

ACCEPTANCE OF INSTRUMENT OF ACCESSION OF JAMMU & KASHMIR STATE BY THE GOVERNOR-GENERAL OF INDIA

I do hereby accept this Instrument of Accession.
Dated this twenty-seventh day of October, nineteen hundred and forty-seven.

Mountbatten of Burma
Governor-General of India

SCHEDULE OF INSTRUMENT OF ACCESSION THE MATTERS WITH RESPECT TO WHICH THE DOMINION LEGISLATURE MAY MAKE LAWS FOR THIS STATE

A. Defence

1. The naval, military and air forces of the Dominion and any other armed forces raised or maintained by the Dominion; any armed forces, including forces raised or maintained by an acceding State, which are attached to, or operating with, any of the armed forces of the Dominion.

2. Naval, military and air force works, administration of cantonment areas.

3. Arms, fire-arms, ammunition.

4. Explosives.

B. External Affairs

1. External affairs; the implementing of treaties and agreements with other countries; extradition, including the surrender of criminals and accused persons to parts of His Majesty's dominions outside India.

2. Admission into, and emigration and expulsion from, India, including in relation thereto the regulation of the movements in India of persons who are not British subjects domiciled in India or subjects of any acceding State; pilgrimages to places beyond India.

3. Naturalisation.

C. COMMUNICATIONS

1. Posts and telegraphs, including telephones, wireless, broadcasting, and other like forms of communication.

2. Federal railways; the regulation of all railways other than minor railways in respect of safety, maximum and minimum rates and fares, station and services terminal charges, interchange of traffic and the responsibility of railway administrations as carriers of goods and passengers; the regulation of minor railways in respect of safety and the responsibility of the administrations of such railways as carriers of goods and passengers.

3. Maritime shipping and navigation, including shipping and navigation on tidal waters; Admiralty jurisdiction.

4. Port quarantine.

5. Major ports, that is to say, the declaration and delimitation of such ports, and the constitution and powers of Port Authorities therein.

6. Aircraft and air navigation; the provision of aerodromes; regulation and organisation of air traffic and of aerodromes.

7. Lighthouses, including lightships, beacons and other provisions for the safety of shipping and aircraft.

8. Carriage of passengers and goods by sea or by air.

9. Extension of the powers and jurisdiction of members of the police force belonging to any unit to railway area outside that unit.

D. ANCILLARY

1. Elections to the Dominion Legislature, subject to the provisions of the Act and of any Order made thereunder.

2. Offences against laws with respect to any of the aforesaid matters.

3. Inquiries and statistics for the purposes of any of the aforesaid matters.

4. Jurisdiction and powers of all courts with respect to any of the aforesaid matters but, except with the consent of the Ruler of the acceding State, not so as to confer any jurisdiction or powers upon any courts other than courts ordinarily exercising jurisdiction in or in relation to that State.

APPENDIX TEN

INDIAN COMPLAINT TO THE SECURITY COUNCIL LETTER DATED 1 JANUARY 1948 FROM THE REPRESENTATIVE OF INDIA TO THE PRESIDENT OF THE SECURITY COUNCIL (S/628)

The Government of India have instructed me to transmit to you the following telegraphic communication:

"1. Under Article 35 of the Charter of the United Nations, any Member may bring any situation whose continuance is likely to endanger the maintenance of international peace and security to the attention of the Security Council. Such a situation now exists between India and Pakistan owing to the aid which invaders, consisting of nationals of Pakistan and of tribesmen from the territory immediately adjoining Pakistan on the north-west, are drawing from Pakistan for operations against Jammu and Kashmir, a State which has acceded to the Dominion of India and is part of India. The circumstances of accession, the activities of the invaders which led the Government of India to take military action against them, and the assistance which the attackers have received and are still receiving from Pakistan are explained later in this memorandum. The Government of India request the Security Council to call upon Pakistan to put an end immediately to the giving of such assistance, which is an act of aggression against India. If Pakistan does not do so, the Government of India may be compelled, in self-defence, to enter Pakistan territory, in order to take military action against the invaders. The matter is, therefore, one of extreme urgency and calls for immediate action by the Security Council for avoiding a breach of international peace.

"2. From the middle of September 1947, the Government of India had received reports of the infiltration of armed raiders into the western parts of Jammu province of Jammu and Kashmir State; Jammu adjoins West Punjab, which is a part of the Dominion of Pakistan. These raiders had done a great deal of damage in that area and taken possession of part of the territory of the State. On 24 October, the Government of India heard of a major raid from the Frontier Province of the Dominion of Pakistan into the Valley of Kashmir. Some two thousand or more fully armed and equipped men came in motor transport, crossed over to the territory of the State of Jammu and Kashmir, sacked the town of Muzaffarabad, killing many people and proceeded along the Jhelum Valley road towards Srinagar, the summer capital of Jammu and Kashmir State. Intermediate towns and villages were sacked and burnt, and many people killed. These raiders were stopped by Kashmir State troops near Uri, a town some fifty miles from Srinagar, for some time, but the invaders

got around them and burnt the power house at Mahora, which supplied electricity to the whole of Kashmir.

"3. The position, on the morning of 26 October, was that these raiders had been held by Kashmir State troops and part of the civil population, who had been armed, at a town called Baramulla. Beyond Baramulla there was no major obstruction up to Srinagar. There was immediate danger of these raiders reaching Srinagar, destroying and massacring large numbers of people, both Hindus and Muslims. The State troops were spread out all over the State and most of them were deployed along the western border of Jammu province. They had been split up into small isolated groups and were incapable of offering effective resistance to the raiders. Most of the State officials had left the threatened areas and the civil administration had ceased to function. All that stood between Srinagar and the fate which had overtaken the places en route followed by the raiders was the determination of the inhabitants of Srinagar, of all communities, and practically without arms, to defend themselves. At this time Srinagar had also a large population of Hindu and Sikh refugees who had fled there from West Punjab owing to communal disturbances in that area. There was little doubt that these refugees would be massacred if the raiders reached Srinagar.

"4. Immediately after the raids into Jammu and Kashmir State commenced, approaches were informally made to the Government of India for the acceptance of the accession of the State to the Indian Dominion. (It might be explained in parenthesis that Jammu and Kashmir form a State whose ruler, prior to the transfer of power by the United Kingdom to the Dominions of India and Pakistan, had been in treaty relations with the British Crown, which controlled its foreign relations and was responsible for its defence. The treaty relations ceased with the transfer of power on 15 August last, and Jammu and Kashmir like other States acquired the right to accede to either Dominion.)

"5. Events moved with great rapidity, and the threat to the Valley of Kashmir became grave. On 26 October, the ruler of the State, His Highness Maharaja Sir Hari Singh, appealed urgently to the Government of India for military help. He also requested that the Jammu and Kashmir State should be allowed to accede to the Indian Dominion. An appeal for help was also simultaneously received by the Government of India from the largest popular organization in Kashmir, the National Conference, headed by Sheikh Mohammed Abdullah. The Conference further strongly supported the request for the State's accession to the Indian Dominion. The Government of India were thus approached not only officially by the State authorities, but also on behalf of the people of Kashmir, both for military aid and for the accession of the State to India.

"6. The grave threat to the life and property of innocent people in the Kashmir Valley and to the security of the State of Jammu and Kashmir that had developed as a result of the invasion of the Valley demanded immediate decision by the Government of India on both the requests. It was imperative on account of the emergency that the responsibility for the defence of Jammu and Kashmir State should be taken over by a Government capable of discharging it. But, in order to avoid any possible suggestion that India had utilised the State's immediate peril for her own political advantage, the Government of India made it clear that once the soil of the State had been cleared of the invader and normal conditions restored, its people would be free to decide their future by the recognized democratic method of a plebiscite or referendum which, in order to ensure complete impartiality, might be held under international auspices.

"7. The Government of India felt it their duty to respond to the appeal for armed assistance because:

"(1) They could not allow a neighbouring and friendly State to be compelled by force to determine either its internal affairs or its external relations;

"(2) The accession of Jammu and Kashmir State to the Dominion of India made India really responsible for the defence of the State.

"8. The intervention of the Government of India resulted in saving Srinagar. The raiders were driven back from Baramulla to Uri and are held there by Indian troops. Nearly 19,000 raiders face the Dominion forces in this area. Since operations in the Valley of Kashmir started, pressure by the raiders against the western and south-western border of Jammu and Kashmir State had been intensified. Exact figures are not available. It is understood, however, that nearly 15,000 raiders are operating against this part of the State. State troops are besieged in certain areas. Incursions by the raiders into the State territory, involving murder, arson, loot, and the abduction of women continue. The booty is collected and carried over to the tribal areas to serve as an inducement to the further recruitment of tribesmen to the ranks of the raiders. In addition to those actively participating in the raid, tribesmen and others, estimated at 100,000, have been collected in different places in the districts of West Punjab bordering Jammu and Kashmir State, and many of them are receiving military training under Pakistani nationals, including officers of the Pakistan Army. They are looked after in Pakistan territory, fed, clothed, armed and otherwise equipped, and transported to the territory of Jammu and Kashmir State with the help, direct and indirect, of Pakistani officials, both military and civil.

"9. As already stated, the raiders who entered the Kashmir Valley in October came mainly from the tribal areas to the north-west of Pakistan and, in order to reach Kashmir, passed through Pakistan territory. The raids along the

south-west border of the State, which had preceded the invasion of the valley proper, had actually been conducted from Pakistan territory, and Pakistan nationals had taken part in them. This process of transmission across Pakistan territory and utilisation of that territory as a base of operations against Jammu and Kashmir State continues. Recently, military operations against the western and south-western borders of the State have been intensified, and the attackers consist of nationals of Pakistan as well as tribesmen. These invaders are armed with modern weapons, including mortars and medium machine-guns, wear the battle dress of regular soldiers and, in recent engagements, have fought in regular battle formation and are using the tactics of modern warfare. Man-pack wireless sets are in regular use and even mark V mines have been employed. For their transport the invaders have all along used motor vehicles. They are undoubtedly being trained and to some extent led by regular officers of the Pakistan Army. Their rations and other supplies are obtained from Pakistan territory.

"10. These facts point indisputably to the conclusion

"(a) that the invaders are allowed transit across Pakistan territory;

"(b) that they are allowed to use Pakistan territory as a base of operations;

"(c) that they include Pakistan nationals;

"(d) that they draw much of their military equipment, transportation, and supplies (including petrol) from Pakistan; and

"(e) that Pakistan officers are training, guiding, and otherwise actively helping them.

"There is no source other than Pakistan from which they could obtain such quantities of modern military equipment, training or guidance. More than once, the Government of India had asked the Pakistan Government to deny to the invaders facilities which constitute an act of aggression and hostility against India, but without any response. The last occasion on which this request was made was on 22 December, when the Prime Minister of India handed over personally to the Prime Minister of Pakistan a letter in which the various forms of aid given by Pakistan to the invaders were briefly recounted and the Government of Pakistan were asked to put an end to such aid promptly; no reply to this letter has yet been received in spite of a telegraphic reminder sent on 26 December.

"11. It should be clear from the foregoing recital that the Government of Pakistan are unwilling to stop the assistance in material and men which the invaders are receiving from Pakistan territory and from Pakistan nationals, including Pakistan Government personnel, both military and civil. This attitude is not only un-neutral, but constitutes active aggression against India, of which the State of Jammu and Kashmir forms a part.

"12. The Government of India have exerted persuasion and exercised patience to bring about a change in the attitude of Pakistan. But they have failed, and are in consequence confronted with a situation in which their defence of Jammu and Kashmir State is hampered and their measures to drive the invaders from the territory of the State are greatly impeded by the support which the raiders derive from Pakistan. The invaders are still on the soil of Jammu and Kashmir and the inhabitants of the State are exposed to all the atrocities of which a barbarous foe is capable. The presence, in large numbers, of invaders in those portions of Pakistan territory which adjoin parts of Indian territory other than Jammu and Kashmir State is a menace to the rest of India. Indefinite continuance of the present operations prolongs the agony of the people of Jammu and Kashmir, is a drain on India's resources and a constant threat to the maintenance of peace between India and Pakistan. The Government of India have no option, therefore, but to take more effective military action in order to rid Jammu and Kashmir State of the invader.

"13. In order that the objective of expelling the invader from Indian territory and preventing him from launching fresh attacks should be quickly achieved, Indian troops would have to enter Pakistan territory; only thus could the invader be denied the use of bases and cut off from his sources of supplies and reinforcements in Pakistan. Since the aid which the invaders are receiving from Pakistan is an act of aggression against India, the Government of India are entitled, under international law, to send their armed forces across Pakistan territory for dealing effectively with the invaders. However, as such action might involve armed conflict with Pakistan, the Governmet of India, ever anxious to proceed according to the principles and aims of the Charter of the United Nations, desire to report the situation to the Security Council under Article 35 of the Charter. They feel justified in requesting the Security Council to ask the Government of Pakistan:

"(1) to prevent Pakistan Government personnel, military and civil, from participating or assisting in the invasion of Jammu and Kashmir State;

"(2) to call upon other Pakistani nationals to desist from taking any part in the fighting in Jammu and Kashmir State;

"(3) to deny to the invaders: (a) access to any use of its territory for operations against Kashmir, (b) military and other supplies, (c) all other kinds of aid that might tend to prolong the present struggle.

"14. The Government of India would stress the special urgency of the Security Council taking immediate action on their request. They desire to add that military operations in the invaded areas have, in the past few days, been developing so rapidly that they must, in self-defence, reserve to themselves the freedom to take, at any time when it may become necessary, such military action as they may consider the situation requires.

"15. The Government of India deeply regret that a serious crisis should have been reached in their relations with Pakistan. Not only is Pakistan a neighbour but, in spite of the recent separation, India and Pakistan have many ties and many common interests. India desires nothing more earnestly than to live with her neighbour-State on terms of close and lasting friendship. Peace is to the interest of both States; indeed to the interests of the world. The Government of India's approach to the Security Council is inspired by the sincere hope that, through the prompt action of the Council, peace may be preserved.

"16. The text of this reference to the Security Council is being telegraphed to the Government of Pakistan."

APPENDIX ELEVEN

RESOLUTION ADOPTED AT THE 29TH MEETING OF THE SECURITY COUNCIL, 17 JANUARY, 1948 (S/651)

The Security Council having heard statements on the situation in Kashmir from representatives of the Governments of India and Pakistan;

Recognizing the urgency of the situation; taking note of the telegram addressed on 6 January by its President to each of the parties and of their replies thereto; and in which they affirmed their intention to conform to the Charter;

Calls upon both the Government of India and the Government of Pakistan to take immediately all measures within their power (including public appeals to their people) calculated to improve the situation and to refrain from making any statements and from doing or causing to be done or permitting any acts which might aggravate the situation;

And further requests each of those Governments to inform the Council immediately of any material change in the situation which occurs or appears to either of them to be about to occur while the matter is under consideration by the Council, and consult with the Council thereon.

APPENDIX TWELVE

RESOLUTION OF THE SECURITY COUNCIL OF 20 JANUARY 1948

(Setting forth terms of reference of the Commission)

The Security Council

Considering that it may investigate any dispute or any situation which might, by its continuance, endanger the maintenance of international peace and security; that, in the existing state of affairs between India and Pakistan, such an investigation is a matter of urgency;

Adopts the following resolution:

A. A commission of the Security Council is hereby established, composed of representatives of three members of the United Nations, one to be selected by India, one to be selected by Pakistan, and the third to be designated by the two so selected.

Each representative on the Commission shall be entitled to select his alternates and assistants.

B. The Commission shall proceed to the spot as quickly as possible. It shall act under the authority of the Security Council and in accordance with the directions it may receive from it. It shall keep the Security Council currently informed of its activities and of the development of the situation. It shall report to the Security Council regularly, submitting its conclusions and proposals.

C. The Commission is invested with a dual function:

(1) to investigate the facts pursuant to Article 34 of the Charter;

(2) to exercise, without interrupting the work of the Security Council, any mediatory influence likely to smooth away difficulties; to carry out the directions given to it by the Security Council; and to report how far the advice and directions, if any, of the Security Council have been carried out.

D. The Commission shall perform the functions described in Clause C:

(1) in regard to the situation in Jammu and Kashmir State set out in the letter of the Representative of India addressed to the President of the Security Council, dated 1 January 1948, and in the letter from the Minister of Foreign Affairs in Pakistan addressed to the Secretary-General, dated 15 January 1948; and (2) in regard to other situations set out in the letter from the Minister of Foreign Affairs of Pakistan addressed to the Secretary-General, dated 15 January 1948; when the Security Council so directs.

E. The Commission shall take its decision by majority vote. It shall determine its own procedure. It may allocate among its members, alternate members, their assistants, and its personnel, such duties as may have to be fulfilled for the realization of its mission and the reaching of its conclusions.

F. The Commission, its members, alternate members, their assistants and its personnel, shall be entitled to journey, separately or together, wherever the necessities of their tasks may require, and in particular, within those territories which are the theatre of the events of which the Security Council is seized.

G. The Secretary-General of the United Nations shall furnish the Commission with such personnel and assistance as it may consider necessary.

APPENDIX THIRTEEN

RESOLUTION OF THE COUNCIL OF 21 APRIL 1948

(Additional terms of reference of Commission and terms of plebiscite)

The Security Council

Having considered the complaint of the Government of India concerning the dispute over the State of Jammu and Kashmir, having heard the Representative of India in support of that complaint and the reply and counter-complaints of the Representative of Pakistan;

Being strongly of the opinion that the early restoration of peace and order in Jammu and Kashmir is essential and that India and Pakistan should do their utmost to bring about a cessation of all fighting;

Noting with satisfaction that both India and Pakistan desire that the question of the accession of Jammu and Kashmir to India or Pakistan should be decided through the democratic method of a free and impartial plebiscite;

Considering that the continuation of the dispute is likely to endanger international peace and security;

Reaffirms the Council resolution of 17 January;

Resolves that the membership of the Commission established by the resolution of the Council of 20 January 1948 shall be increased to five and shall include, in addition to the membership mentioned in that resolution, representative of . . . and . . ., and that if the membership of the Commission has not been completed within ten days from the date of the adoption of this resolution the President of the Council may designate such other Member or Members of the United Nations as are required to complete the membership of five;

Instructs the Commission to proceed at once to the Indian subcontinent and there place its good offices and mediation at the disposal of the Governments of India and Pakistan with a view to facilitating the taking of the necessary measures, both with respect to the restoration of peace and order and to the holding of a plebiscite by the two Governments, acting in co-operation with one another and with the Commission, and further instructs the Commission to keep the Council informed of the action taken under the resolution, and to this end;

Recommends to the Governments of India and Pakistan the following measures as those which in the opinion of the Council are appropriate to bring about a cessation of the fighting and to create proper conditions for a free and

impartial plebiscite to decide whether the State of Jammu and Kashmir is to accede to India or Pakistan.

A. Restoration of Peace and Order

1. The Government of Pakistan should undertake to use its best endeavours:

(a) to secure the withdrawal from the State of Jammu and Kashmir of tribesmen and Pakistani nationals not normally resident therein who have entered the State for the purposes of fighting and to prevent any intrusion into the State of such elements and any furnishing of material aid to those fighting in the State.

(b) to make known to all concerned that the measures indicated in this and the following paragraphs provide full freedom to all subjects of the State, regardless of creed, caste, or party, to express their views and to vote on the question of the accession of the State, and that therefore they should co-operate in the maintenance of peace and order.

2. The Government of India should:

(a) when it is established to the satisfaction of the Commission set up in accordance with the Council's resolution of 20 January that the tribesmen are withdrawing and that arrangements for the cessation of the fighting have become effective, put into operation in consultation with the Commission a plan for withdrawing their own forces from Jammu and Kashmir and reducing them progressively to the minimum strength required for the support of the civil power in the maintenance of law and order;

(b) make known that the withdrawal is taking place in stages and announce the completion of each stage;

(c) when the Indian forces shall have been reduced to the minimum strength mentioned in (a) above, arrange in consultation with the Commission for the stationing of the remaining forces to be carried out in accordance with the following principles;

(i) that the presence of troops should not afford any intimidation or appearance of intimidation to the inhabitants of the State,

(ii) that as small a number as possible should be retained in forward areas,

(iii) that any reserve of troops which may be included in the total strength should be located within their present base area.

3. The Government of India should agree that, until such time as the Plebiscite Administration referred to below finds it necessary to exercise the powers of direction and supervision over the State forces and police provided for in paragraph 8, they will be held in areas to be agreed upon with the Plebiscite Administrator.

4. After the plan referred to in paragraph 2 (a) above has been put into operation, personnel recruited locally in each district should so far as possible be utilized for the re-establishment and maintenance of law and order with due regard to protection of minorities, subject to such additional requirements as may be specified by the Plebiscite Administration referred to in paragraph 7.

5. If these local forces should be found to be inadequate, the Commission, subject to the agreement of both the Government of India and the Government of Pakistan, should arrange for the use of such forces of either Dominion as it deems effective for the purpose of pacification.

B. PLEBISCITE

6. The Government of India should undertake to ensure that the Government of the State invite the major political groups to designate responsible representatives to share equitably and fully in the conduct of the administration at the Ministerial level, while the plebiscite is being prepared and carried out.

7. The Government of India should undertake that there will be established in Jammu and Kashmir a Plebiscite Administration to hold a plebiscite as soon as possible on the question of the accession of the State to India or Pakistan.

8. The Government of India should undertake that there will be delegated by the State to the Plebiscite Administration such powers as the latter considers necessary for holding a fair and impartial plebiscite, including, for that purpose only, the direction and supervision of the State forces and police.

9. The Government of India should at the request of the Plebiscite Administration make available from the Indian forces such assistance as the Plebiscite Administration may require for the performance of its functions.

10. (a) The Government of India should agree that a nominee of the Secretary-General of the United Nations will be appointed to be the Plebiscite Administrator.

(b) The Plebiscite Administrator, acting as an officer of the State of Jammu and Kashmir, should have authority to nominate his assistants and other subordinates and to draft regulations governing the plebiscite. Such nominees should be formally appointed and such draft regulations should be formally promulgated by the State of Jammu and Kashmir.

(c) The Government of India should undertake that the Government of Jammu and Kashmir will appoint fully qualified persons nominated by the Plebiscite Administrator to act as special magistrates within the State judicial system to hear cases which in the opinion of the Plebiscite Administrator have a serious bearing on the preparation for and the conduct of a free and impartial plebiscite.

(d) The terms of service of the Administrator should form the subject of a separate negotiation between the Secretary-General of the United Nations

and the Government of India. The Administrator should fix the terms of service for his assistants and subordinates.

(e) The Administrator should have the right to communicate direct with the Government of the State and with the Commission of the Security Council, and, through the Commission, with the Security Council, with the Governments of India and Pakistan and with their representatives with the Commission. It would be his duty to bring to the notice of any of all of the foregoing (as he in his discretion may decide) any circumstances arising which may tend, in his opinion, to interfere with the freedom of the plebiscite.

11. The Government of India should undertake to prevent and to give full support to the Administrator and his staff in preventing any threat, coercion or intimidation, bribery or other undue influence on the voters in the plebiscite, and the Government of India should publicly announce and should cause the Government of the State to announce this undertaking as an international obligation binding on all public authorities and officials in Jammu and Kashmir.

12. The Government of India should themselves and through the Government of the State declare and make known that all subjects of the State of Jammu and Kashmir, regardless of creed, caste or party, will be safe and free in expressing their views and in voting on the question of the accession of the State and that there will be freedom of the Press, speech and assembly and freedom of travel in the State, including freedom of lawful entry and exit.

13. The Government of India should use and should ensure that the Government of the State also use their best endeavours to effect the withdrawal from the State of all Indian nationals other than those who are normally resident therein or who on or since 15 August 1947 have entered it for a lawful purpose.

14. The Government of India should ensure that the Government of the State release all political prisoners and take all possible steps so that:

(a) all citizens of the State who have left it on account of disturbances are invited, and are free, to return to their homes and to exercise their rights as such citizens;

(b) there is no victimisation;

(c) minorities in all parts of the State are accorded adequate protection.

15. The Commission of the Security Council should, at the end of the plebiscite, certify to the Council whether the plebiscite has or has not been really free and impartial.

C. General Provisions

16. The Governments of India and Pakistan should each be invited to nominate a representative to be attached to the Commission for such assistance as it may require in the performance of its task.

17. The Commission should establish in Jammu and Kashmir such observers as it may require for any of the proceedings in pursuance of the measures indicated in the foregoing paragraphs.

18. The Security Council Commission should carry out the tasks assigned to it herein.

APPENDIX FOURTEEN

UNCIP RESOLUTION OF 13 AUGUST, 1948
(S/1100, PARA 75)

The United Nations Commission for India and Pakistan having given careful consideration to the points of view expressed by the Representatives of India and Pakistan regarding the situation in the State of Jammu and Kashmir, and

Being of the opinion that the prompt cessation of hostilities and the correction of conditions the continuance of which is likely to endanger international peace and security are essential to implementation of its endeavours to assist the Governments of India and Pakistan in effecting a final settlement of the situation,

Resolves to submit simultaneously to the Governments of India and Pakistan the following proposal:

PART I

CEASE-FIRE ORDER

A. The Governments of India and Pakistan agree that their respective High Commands will issue separately and simultaneously a cease-fire order to apply to all forces under their control in the State of Jammu and Kashmir as of the earliest practicable date or dates to be mutually agreed upon within four days after these proposals have been accepted by both Governments.

B. The High Commands of the Indian and Pakistani forces agree to refrain from taking any measures that might augment the military potential of the forces under their control in the State of Jammu and Kashmir.

(For the purpose of these proposals "forces under their control" shall be considered to include all forces, organised and unorganised, fighting or participating in hostilities on their respective sides.)

C. The Commanders-in-Chief of the forces of India and Pakistan shall promptly confer regarding any necessary local changes in present dispositions which may facilitate the cease-fire.

D. In its discretion and as the Commission may find practicable, the Commission will appoint military observers who, under the authority of the

Commission and with the co-operation of both Commands, will supervise the observance of the cease-fire order.

E. The Government of India and the Government of Pakistan agree to appeal to their respective peoples to assist in creating and maintaining an atmosphere favourable to the promotion of further negotiations.

PART II

TRUCE AGREEMENT

Simultaneously with the acceptance of the proposal for the immediate cessation of hostilities as outlined in Part I, both Governments accept the following principles as a basis for the formulation of a truce agreement, the details of which shall be worked out in discussion between their Representatives and the Commission.

A

1. As the presence of troops of Pakistan in the territory of the State of Jammu and Kashmir constitutes a material change in the situation since it was represented by the Government of Pakistan before the Security Council, the Government of Pakistan agrees to withdraw its troops from that State.

2. The Government of Pakistan will use its best endeavour to secure the withdrawal from the State of Jammu and Kashmir of tribesmen and Pakistan nationals not normally resident therein who have entered the State for the purpose of fighting.

3. Pending a final solution, the territory evacuated by the Pakistani troops will be administered by the local authorities under the surveillance of the Commission.

B

1. When the Commission shall have notified the Government of India that the tribesmen and Pakistan nationals referred to in Part IIA-2 hereof have withdrawn, thereby terminating the situation which was represented by the Government of India to the Security Council as having occasioned the presence of Indian forces in the State of Jammu and Kashmir, and further, that the Pakistani forces are being withdrawn from the State of Jammu and Kashmir, the Government of India agrees to begin to withdraw the bulk of their forces from that State in stages to be agreed upon with the Commission.

2. Pending the acceptance of the conditions for a final settlement of the situation in the State of Jammu and Kashmir, the Indian Government will maintain within the lines existing at the moment of cease-fire the minimum strength of its forces which in agreement with the Commission are considered necessary to assist local authorities in the observance of law and order. The Commission will have observers stationed where it deems necessary.

3. The Government of India will undertake to ensure that the Government of the State of Jammu and Kashmir will take all measures within its power to make it publicly known that peace, law and order will be safeguarded and that all human and political rights will be guaranteed.

C

1. Upon signature, the full text of the truce agreement or a communique containing the principles thereof as agreed upon between the two Governments and the Commission will be made public.

PART III

The Government of India and the Government of Pakistan reaffirm their wish that the future status of the State of Jammu and Kashmir shall be determined in accordance with the will of the people and to that end, upon acceptance of the truce agreement, both Governments agree to enter into consultations with the Commission to determine fair and equitable conditions whereby such free expression will be assured.

APPENDIX FIFTEEN

LETTER FROM THE PRIME MINISTER OF INDIA TO THE CHAIRMAN IN REPLY TO THE COMMISSION'S RESOLUTION OF 13 AUGUST, 1948 (S/1100, PARA 78)

Excellency,

On 17 August, my colleague, the Minister without Protfolio, and I discussed with you and your colleagues of the Commission now in Delhi the resolution which you had presented to us on the 14th instant. On the 18th, I had another discussion with you, in the course of which I tried to explain to you the doubts and difficulties which members of my Government, and representatives of the Government of Kashmir whom we consulted, had felt as the result of a preliminary but careful examination of the Commission's proposals.

2. During the several conferences that we had with the Commission when it first came to Delhi, we placed before it what we considered the basic fact of the situation which had led to the conflict in Kashmir. This fact was the unwarranted aggression, at first indirect and subsequently direct, of the Pakistan Government on Indian Dominion territory in Kashmir. The Pakistan Government denied this although it was common knowledge. In recent months, very large forces of the Pakistan regular army have further entered Indian Union territory in Kashmir and opposed the Indian Army which was sent there for

the defence of the State. This, we understand now, is admitted by the Pakistan Government, and yet there has been at no time any intimation to the Government of India by the Pakistan Government of this invasion; there has been a continual denial and the Pakistan Government have evaded answering repeated inquiries from the Government of India.

In accordance with the resolution of the Security Council of the United Nations adopted on January 17, 1948, the Pakistan Government should have informed the Council immediately of any material change in the situation while the matter continues to be under the consideration of the Council. The invasion of the State by large forces of the regular Pakistan Army was a very material change in the situation, and yet no information of this was given, so far as we know, to the Security Council.

The Commission will appreciate that this conduct of the Pakistan Government is not only opposed to all moral codes as well as international law and usage, but has also created a very grave situation. It is only the earnest desire of my Government to avoid any extension of the field of conflict and to restore peace that has led us to refrain from taking any action to meet the new situation that was created by this further intrusion of the Pakistan Army into Jammu and Kashmir State. The presence of the Commisson in India has naturally led us to hope that any arrangement sponsored by it would deal effectively with the present situation and prevent any recurrence of aggression.

3. Since our meeting of August 18, we have given the Commission's resolution our most earnest thought. There are many parts of it which we should have preferred to be otherwise and more in keeping with the fundamental facts of the situation, especially the flagrant aggression of the Pakistan Government on Indian Union territory. We recognise, however, that if a successful effort is to be made to create satisfactory conditions for a solution of the Kashmir problem without further bloodshed, we should concentrate on certain essentials only at present and seek safeguards in regard to them. It was in this spirit that I placed the following considerations before Your Excellency:

(1) That paragraph A3 of Part II of the resolution should not be interpreted, or applied in practice, so as:

(a) to bring into question the sovereignty of the Jammu and Kashmir Government over the portion of their territory evacuated by Pakistan troops;

(b) to afford any recognition of the so-called "Azad Kashmir Government"; or

(c) to enable this territory to be consolidated in any way during the period of truce to the disadvantage of the State.

(2) That from our point of view the effective insurance of the security of the State against external aggression, from which Kashmir has suffered so much during the last ten months, was of the most vital significance and no

less important than the observance of internal law and order and that, therefore, the withdrawal of Indian troops and the strength of Indian forces maintained in Kashmir should be conditioned by this overriding factor. Thus at any time the strength of the Indian forces maintained in Kashmir should be sufficient to ensure security against any form of external aggression as well as internal disorder.

(3) That as regards Part III, should it be decided to seek a solution of the future of the State by means of a plebiscite, Pakistan should have no part in the organisation and conduct of the plebiscite or in any other matter of internal administration in the State.

(4) If I understood you correctly, A3 of Part II of the resolution does not envisage the creation of any of the conditions to which we have objected in paragraph 3 (1) of this letter. In fact, you made it clear that the Commission was not competent to recognise the sovereignty of any authority over the evacuated areas other than that of the Jammu and Kashmir Government.

As regards paragraph 3(2), the paramount need for security is recognised by the Commission, and the time when the withdrawal of Indian forces from the State is to begin, the stages in which it is to be carried out and the strength of Indian forces to be retained in the State, are matters for settlement between the Commission and the Government of India.

Finally, you agreed that Part III, as formulated, does not in any way recognise the right of Pakistan to have any part in a plebiscite.

4. In view of this clarification, my Government, animated by a sincere desire to promote the cause of peace, and thus to uphold the principles and prestige of the United Nations, have decided to accept the resolution.

Accept, Excellency, the assurances of my highest consideration.

LETTER FROM THE CHAIRMAN OF THE COMMISSION TO THE PRIME MINISTER OF INDIA

New Delhi
25 August 1948

Excellency,

I have the honour to acknowledge the receipt of your communication dated August 20, 1948, regarding the terms of the resolution of the United Nations Commission for India and Pakistan which the Commission presented to you on August 14, 1948.

The Commission requests me to convey to Your Excellency its view that the interpretation of the resolution as expressed in paragraph 4 of your letter coincides with its own interpretation, it being understood that as regards point (1) (c) the local people of the evacuated territory will have freedom of

legitimate political activity. In this connection, the term "evacuated territory" refers to those territories in the State of Jammu and Kashmir which are at present under the effective control of the Pakistan High Command.

The Commission wishes me to express to Your Excellency its sincere satisfaction that the Government of India has accepted the resolution and appreciates the spirit in which this decision has been taken.

I wish to avail myself of this opportunity to renew to Your Excellency the assurances of my highest consideration.

APPENDIX SIXTEEN

LETTER DATED 20 AUGUST, 1948, FROM THE PRIME MINISTER OF INDIA TO THE CHAIRMAN OF THE UNCIP CONCERNING NORTHERN TERRITORIES

(S/1100, PARA 80)

Excellency,

You will recall that in our interview with the Commission on 17 August, I dealt at some length with the position of the sparsely populated and mountainous region of Jammu and Kashmir State in the north. The authority of the Government of Jammu and Kashmir over this region as a whole has not been challenged or disturbed, except by roving bands of hostiles, or in some places like Skardu which have been occupied by irregulars of Pakistan troops. The Commission's resolution, as you agreed in the course of our interview on the 18th, does not deal with the problem of administration or defence in this large area. We desire that, after Pakistan troops and irregulars have withdrawn from the territory, the responsibility for the administration of the evacuated areas should revert to the Government of Jammu and Kashmir and that for defence to us. (The only exception that we should be prepared to accept would be Gilgit.) We must be free to maintain garrisons at selected points in this area for the dual purpose of preventing the incursion of tribesmen, who obey no authority, and to guard the main trade routes from the State into Central Asia.

Accept, Excellency, etc.

Jawaharlal Nehru
Prime Minister of India

LETTER DATED 25 AUGUST, 1948, FROM THE CHAIRMAN OF THE UNCIP TO THE PRIME MINISTER OF INDIA, CONCERNING NORTHERN TERRITORIES

(S/1100, PARA 81)

Excellency,

I have the honour to acknowledge receipt of your letter of 20 August 1948, relating to the sparsely populated and mountainous region of the State of Jammu and Kashmir in the north.

The Commission wishes me to confirm that, due to the peculiar conditions of this area, it did not specifically deal with the military aspect of the problem in its resolution of 13 August 1948. It believes, however, that the question raised in your letter could be considered in the implementation of the Resolution.

Accept, Excellency, etc.

Josef Korbel

APPENDIX SEVENTEEN

AIDE MEMOIRE NO. 1 (21 DECEMBER, 1948)

His Excellency Dr. Lozano, accompanied by his Alternate, Mr. Samper, and His Excellency Mr. Colban, Personal Representative of the Secretary-General of the United Nations, met the Prime Minister yesterday. The Hon'ble Shri Gopalaswami Ayyangar and Sir G. S. Bajpai were also present. The discussions of the Commission's plebiscite proposal fell into two parts: (1) General, (2) Particular in reference to individual clauses.

2. The Prime Minister drew attention to Pakistan's repeated acts of aggression against India. In spite of the presence of Pakistan troops in Jammu and Kashmir, which is Indian territory now, and the offensive action of Pakistan troops, the Government of India had accepted the Commission's Resolution of 13 August; Pakistan had not accepted the Resolution. In paragraph 143 of its Report, the Commission has referred to its conference with the Prime Minister on the conditions attached by the Government of Pakistan to its acceptance of the Resolution of 13 August. As stated in paragraph 144 of the Report, the Prime Minister had informed the Commission that he stood on his original premises that the Pakistan forces must be withdrawn from the State before the Government of India could consider any further steps. This had specific reference to an amplification of Part III of the Resolution of 13 August. Nevertheless, the Government of India had agreed to informal

conversations in Paris which had resulted in the formulation of the proposals now put forward by the Commission. The Government of India naturally wondered how far this process of rejection of proposals put forward by the Commission by Pakistan and the adoption of a responsive attitude on the part of the Government of India towards the Commission's proposals could continue. The Commission must realise that there were limits to the forbearance and spirit of conciliation of the Government of India. The Prime Minister emphasised (1) that, if the Government of India were to accept the Commission's plebiscite proposals, no action could be taken in regard to them until Parts I and II of the Commission's Resolution of 13 August had been fully implemented; (2) that in the event of Pakistan not accepting these proposals, or having accepted them, not implementing Parts I and II of the Resolution of 13 August, the Government of India's acceptance of them should not be regarded as in any way binding upon them; (3) Part III of the Commission's Resolution of 13 August provided "that the future status of the State of Jammu and Kashmir shall be determined in accordance with the will of the people and to that end, upon acceptance of the truce agreement, both Governments agree to enter into consultations with the Commission to determine fair and equitable conditions whereby such free expression will be assured." The present proposals appeared to limit the method of ascertaining the will of the people regarding the future status of the State of Jammu and Kashmir through a plebiscite. While the Government of India adhered to their position in regard to a plebiscite, they had pointed out that, in view of the difficulties of holding a plebiscite in present conditions in Kashmir, other methods of ascertaining the wish of the people should also be explored. The Commission had itself recognised the difficulties of carrying out a plebiscite in Kashmir. The Government of India feel that the exploration of other methods should not be ruled out.

3. As regards (1), Dr. Lozano enquired whether there should be objection to the appointment of a Plebiscite Administrator until Parts I and II of the Resolution of 13 August had been implemented. Both he and Mr. Colban thought that the Plebiscite Administrator could do useful exploratory work even before arrangements for holding a plebiscite could be taken in hand. The Prime Minister pointed out that it was always open to the Commission to employ advisers or experts for work within its terms of reference. The Government of India, however, would regard the appointment of a Plebiscite Administrator, as such, premature until Parts I and II of the Resolution of 13 August had been implemented. Dr. Lozano accepted (2). As regards (3), he said that the Commission wished the possibility of a plebiscite to be explored first. Should the Plebiscite Administrator, however, find a plebiscite to be impracticable, the way would be open to consider other methods for ensuring a free expression by the people of Jammu and Kashmir of their wish regarding the future status of the State.

4. B.1. Preamble. The phrase "The Governments of India and Pakistan simultaneously accept" is incorrect in that either Government may not accept the principles supplementary to the Resolution of 13 August. Even if both Governments accept them, the acceptance cannot be simultaneous. The wording should be changed accordingly.

B.3(b). The question was raised whether the form of words employed was intended to give to the Plebiscite Administrator powers of interference in the administration of the State, e.g. by "direction and supervision of the State Forces and Police," mentioned in paragraph B.8 of the Security Council's Resolution of 21 April, 1948. Dr. Lozano said that this was not the intention of the Commission and that the words quoted above had been deliberately omitted. The Prime Minister pointed out that all that the Plebiscite Administrator could in reason expect was that, for the purpose of organising and conducting the plebiscite and ensuring its freedom and impartiality, the Government of Jammu and Kashmir should give him such assistance as he might require. Dr. Lozano said that a Plebiscite Administrator of international standing and commanding general confidence, who would be appointed after consultation with the Government of India, could be expected to act reasonably and that the Commission did not intend that he should usurp the functions of the State Government in the field of normal administration and law and order. His functions and powers would be limited to ensuring that the plebiscite was free and impartial.

B.4(b). The Prime Minister drew attention to the fact that the Azad Kashmir forces which had been armed and equipped by Pakistan and were under the operational command of the Pakistan Army ran into tens of thousands. Their presence in the territories referred to in A.3 of Part II of the Resolution of 13 August, even after demobilisation, would be a constant threat to the territory under the control of Indian and State forces, a deterrent to the return of many refugees, and an obstacle to the free expression of opinion regarding the future status of the State by those who might be opposed to the accession of the State to Pakistan. Dr. Lozano pointed out that it was the Commission's intention that there should be large-scale disarming of these forces, though it would not be possible to require withdrawal from these territories of genuine inhabitants of these areas.

B.6(a). Dr. Lozano agreed that it was not the Commission's intention that the Pakistan Commission should operate outside Pakistan. Thus, the Pakistan Commission would not operate in the territory referred to in A.3 of Part II of the Resolution of 13 August. The Prime Minister then raised the question of the "free return" to the State of all citizens who had left it on account of the disturbances. He said that the tendency of Pakistan would be to push as many people as possible into Jammu and Kashmir. If the plebiscite was to be limited, as it should be, to genuine citizens of the State, the

entry of persons claiming to be citizens into the State will have to be most carefully checked. How was this to be achieved? Dr. Lozano said that the Commission fully realised the necessity of an accurate and effective check but had not gone into details. Possibly those returning to the State could be stopped and examined at the frontier. The Prime Minister pointed out that, considering the length of the frontier and the ease with which people could slip across the border over mountain tracks, a check on the frontier would be neither easy nor effective, except by the employment of large forces.

Apart from the problem of entry, there is the even more important problem of the rehabilitation and protection of those who have left the State on account of recent disturbances. Homes have been destroyed; property has been lost; there has been wholesale dispossession of persons from the land that they used to cultivate. It is not enough to "invite" these persons to return to the State. They have to be given full security and to be housed, fed and put in a position to maintain themselves. It may be necessary to lodge these returning citizens of the State temporarily in camps for distribution to their homes. They could not, however, be expected to remain in relief camps for long or to take part in a plebiscite from such camps. The administrative and economic implications of this task were at once significant and onerous. They must receive full attention.

B.6(b). It is assumed that the Government of Jammu and Kashmir will decide whether or not a person entered the State for a lawful purpose.

B.7(b). India is a secular State; the United Nations also are a secular organisation. Pakistan aims at being a theocratic State. An appeal to religious fanaticism could not be regarded as legitimate political activity. Dr. Lozano agreed that any political activity which might tend to disturb law and order could not be regarded as legitimate. The same test would apply to freedom of the Press and of speech.

As regards the freedom of lawful entry and exit, this must obviously be governed by B.6 of the proposals. It is assumed that in the territory under their control, entry and exit will be regulated by rules framed for the purpose by the Government of Jammu and Kashmir, with due regard to the security of the State and the maintenance of law and order. Dr. Lozano said that a system of permits would probably be necessary.

B.7(c) Persons guilty of ordinary offences against law and order will not be regarded as political prisoners.

5. In all their negotiations the Government of India have emphasised the paramount need of ensuring the security of the State. The Commission recognised this in their Resolution of 13 August; they have also provided in 4(a) of the plebiscite proposals that measures with regard to the final disposal of Indian and State Forces will be taken with due regard to the security of

the State. The Government of India wish to emphasise the supreme importance which they attach to adequate provision for the security of the State in all contingencies.

APPENDIX EIGHTEEN

UNCIP RESOLUTION OF 5 JANUARY 1949

(S/1430, PARA 143)

The United Nations Commission for India and Pakistan, having received from the Governments of India and Pakistan, in communications dated 23 December and 25 December 1948, respectively, their acceptance of the following principles which are supplementary to the Commission's resolution of 13 August 1948:

1. The question of the accession of the State of Jammu and Kashmir to India or Pakistan will be decided through the democratic method of a free and impartial plebiscite.

2. A plebiscite will be held when it shall be found by the Commission that the cease-fire and truce arrangements set forth in Parts I and II of the Commission's resolution of 13 August 1948, have been carried out and arrangements for the plebiscite have been completed.

3. (a) The Secretary-General of the United Nations will, in agreement with the Commission, nominate a Plebiscite Administrator who shall be a personality of high international standing and commanding general confidence. He will be formally appointed to office by the Government of Jammu and Kashmir.

(b) The Plebiscite Administrator shall derive from the State of Jammu and Kashmir the powers he considers necessary for organising and conducting the plebiscite and for ensuring the freedom and impartiality of the plebiscite.

(c) The Plebiscite Administrator shall have authority to appoint such staff of assistants and observers as he may require.

4. (a) After implementation of Parts I and II of the Commission's resolution of 13 August 1948, and when the Commission is satisfied that peaceful conditions have been restored in the State, the Commission and the Plebiscite Administrator will determine, in consultation with the Government of India, the final disposal of Indian and State armed forces, such disposal to be with due regard to the security of the State and the freedom of the plebiscite;

(b) As regards the territory referred to in A-2 of Part II of the resolution of 13 August, final disposal of the armed forces in that territory will be determined by the Commission and the Plebiscite Administrator in consultation with the local authorities.

5. All civil and military authorities within the State and the principal political elements of the State will be required to co-operate with the Plebiscite Administrator in the preparation for and the holding of the plebiscite.

6. (a) All citizens of the State who have left it on account of the disturbances will be invited and be free to return and to exercise all their rights as such citizens. For the purpose of facilitating repatriation there shall be appointed two commissions, one composed of nominees of India and the other of nominees of Pakistan. The Commission shall operate under the direction of the Plebiscite administrator. The Governments of India and Pakistan and all authorities within the State of Jammu and Kashmir will collaborate with the Plebiscite Administrator in putting this provision into effect.

(b) All persons (other than citizens of the State) who on or since 15 August 1947, have entered it for other than lawful purpose, shall be required to leave the State.

7. All authorities within the State of Jammu and Kashmir will undertake to ensure, in collaboration with the Plebiscite Administrator, that:

(a) there is no threat, coercion or intimidation, bribery or other undue influence on the voters in the plebiscite;

(b) no restrictions are placed on legitimate political activity throughout the State. All subjects of the State, regardless of creed, caste or party, shall be safe and free in expressing their views and in voting on the question of the accession of the State to India or Pakistan. There shall be freedom of the Press, speech and assemby and freedom of travel in the State, including freedom of lawful entry and exit;

(c) all political prisoners are released;

(d) minorities in all parts of the State are accorded adequate protection; and

(e) there is no victimisation.

8. The Plebiscite Administrator may refer to the United Nations Commission for India and Pakistan problems on which he may require assistance, and the Commission may in its discretion call upon the Plebiscite Administrator to carry out on its behalf any of the responsibilities with which it has been entrusted.

9. At the conclusion of the plebiscite, the Plebiscite Administrator shall report the result thereof to the Commission and to the Government of Jammu and Kashmir. The Commission shall then certify to the Security Council whether the plebiscite has or has not been free and impartial.

10. Upon the signature of the truce agreement the details of the foregoing proposals will be elaborated in the consultations envisaged in Part III of the Commission's resolution of 13 August 1948. The Plebiscite Administrator will be fully associated in these consultations;

Commends the Governments of India and Pakistan for their prompt action in ordering a cease-fire to take effect from one minute before midnight of January 1, 1949, pursuant to the agreement arrived at as provided for by the Commission's resolution of 13 August 1948; and

Resolves to return in the immediate future to the subcontinent to discharge the responsibilities imposed upon it by the resolution of 13 August 1948, and by the foregoing principles.

APPENDIX NINETEEN

AGREEMENT BETWEEN MILITARY REPRESENTATIVES OF INDIA AND PAKISTAN REGARDING THE ESTABLISHMENT OF A CEASE-FIRE LINE IN THE STATE OF JAMMU AND KASHMIR (ANNEX 26 OF UNCIP THIRD REPORT—S/1430 AND ADD 1 TO 3)

29 July, 1949

I. Introduction

A. The military representatives of India and Pakistan met together in Karachi from 18 July to 27 July 1949 under the auspices of the Truce Sub-Committee of the United Nations Commission for India and Pakistan.

B. The members of the Indian delegation were: Lieutenant-General S. M. Shrinagesh, Major-General K. S. Thimayya, Brigadier S. H. F. J Manekshaw. As observers: Mr. H. M. Patel, Mr. V. Sahay.

C. The members of the Pakistan delegation were: Major-General W. J. Cawthorn, Major-General Nazir Ahmed, Brigadier M. Sher Khan. As observers: Mr. M. Ayub, Mr. A. A. Khan.

D. The members of the Truce Sub-Committee of the United Nations Commission for India and Pakistan were: Mr. Hernando Samper (Colombia), Chairman; Mr. William L. S. Williams (United States); Lieutenant-General Maurice Delvoie, Military Adviser; Mr. Miguel A. Marin, Legal Adviser.

II. Agreement

A. Considering:

1. That the United Nations Commission for India and Pakistan, in its letter dated 2 July, 1949, invited the Governments of India and Pakistan to send fully authorised military representatives to meet jointly in Karachi under the auspices of the Commission's Truce Sub-Committee to establish a cease-fire line in the State of Jammu and Kashmir, mutually agreed upon by the Governments of India and Pakistan;

2. That the United Nations Commission for India and Pakistan in its letter stated that "The meetings will be for military purposes; political issues will not be considered," and that "They will be conducted without prejudice to negotiations concerning the truce agreement";

3. That in the same letter the United Nations Commission for India and Pakistan further stated that "The cease-fire line is a complement of the suspension of hostilities, which falls within the provisions of Part I of the resolution of 13 August, 1948, and can be considered separately from the questions relating to Part II of the same resolution";

4. That the Governments of India and Pakistan, in their letters dated 7 July, 1949, to the Chairman of the Commission, accepted the Commission's invitation to the military conference in Karachi;

B. The delegations of India and Pakistan, duly authorised, have reached the following agreement:

1. Under the provisions of Part I of the resolution of 13 August, 1948, and as a complement of the suspension of hostilities in the State of Jammu and Kashmir on 1 January, 1949, a cease-fire line is established.

2. The cease-fire line runs from Manawar in the south, north to Keran and from Keran east to the glacier area, as follows:

(a) The line from Manawar to the south bank of the Jhelum River at Urusa (inclusive to India) is the line now defined by the factual positions about which there is agreement between both parties. Where there has hitherto not been agreement, the line shall be as follows:

(i) in the Patrana area: Kohel (inclusive to Pakistan) north along the Khuwala Kas Nullah up to Point 2276 (inclusive to India), thence to Kirni (inclusive to India).

(ii) Khambha, Pir Satwan, Point 3150 and Point 3606 are inclusive to India, thence the line runs to the factual position at Bagla Gala, thence to the factual position at Point 3300.

(iii) In the area south of Uri the positions of Pir Kanthi and Ledi Gali are inclusive to Pakistan.

(b) From the north bank of the Jhelum River the line runs from a point opposite the village of Urusa (NL 972109), thence north following the Ballaseth Da Nar Nullah (inclusive to Pakistan), up to NL 973140, thence north-east to Chhota Qazinag (Point 10657 inclusive to India), thence to NM 010180, thence to NM 037210, thence to Point 11825 (NM 025354, inclusive to Pakistan), thence to Tutmari Gali (to be shared by both sides, posts to be established 500 yards on either side of the Gali), thence to the north-west through the first "R" of Burji Nar to north of Gadori, thence straight west to just north of point 9870, thence along the black line north of Bijidhar to north of Batarasi, thence to just south of Sudhpura, thence due north to the Kathaqazinag Nullah, thence along the Nullah to its junction with the Grangnar Nullah, thence along the latter Nullah to Kajnwala Pathra (inclusive to India), thence across the Danna ridge (following the factual positions) to Richmar Gali (inclusive to

India), thence north to Thanda Katha Nullah, thence north to the Kishanganga River. The line then follows the Kishanganga River up to a point situated between Fargi and Tarban, thence (all inclusive to Pakistan) to Bankoran, thence north-east to Khori, thence to the hill feature 8930 (in Square 9053), thence straight north to Point 10164 (in Square 9057), thence to Point 10323 (in Square 9161), thence north-east straight to Guthur, then to Bhutpathra, thence to NL 980707, thence following the Bugina Nullah to the junction with the Kishanganga River at Point 4739. Thereafter the line follows the Kishanganga River to Keran and onwards to Point 4996 (NL 975818).

(c) From Point 4996 the line follows (all inclusive to Pakistan) the Famgar Nullah eastward to Point 12124, to Katware, to Point 6678, then to the north-east to Sarian (Point 11279), to Point 11837, to Point 13090 to Point 12641, thence east again to Point 11142, thence to Dhakki, thence to Point 11415, thence to Point 10301, thence to Point 7507, thence to Point 10685, thence to Point 8388, thence south-east to Point 11812. Thence the line runs (all inclusive to India) to Point 13220, thence across the river to the east to Point 13449 (Durmat), thence to Point 14586 (Anzbari), thence to Point 13554, thence to Milestone 45 on the Burzil Nullah, thence to the east to Ziankal (Point 12909), thence to the south-east to Point 11114, thence to Point 12216, thence to Point 12867, thence to the east to Point 11264, thence to Karo (Point 14985), thence to Point 14014, thence to Point 12089, thence following the track to Point 12879. From there the line runs to Point 13647 (Karobal Gali, to be shared by both sides). The cease-fire line runs thence through Retagah Chhish (Point 15316), thence through Point 15889, thence through Point 17392, thence through Point 16458, thence to Marpo La (to be shared by both sides), thence through Point 17561, thence through Point 17352, thence through Point 18400, thence through Point 16760, thence to (inclusive to India) Dalunang.

(d) From Dalunang eastwards the cease-fire line will follow the general line Point 15495, Ishmam, Manus, Gangam, Gunderman, Point 13620, Funkar (Point 17628), Marmak, Natsara, Shangruti (Point 17531), Chorbat La (Point 16700), Chalunka (on the Shyok River), Khor, thence north to the glaciers. This portion of the cease-fire line shall be demarcated in detail on the basis of the factual position as of 27 July, 1949, by the local commanders assisted by United Nations military observers.

C. The cease-fire line described above shall be drawn on a one-inch map (where available) and then be verified mutually on the ground by local commanders on each side with the assistance of the United Nations military observers, so as to eliminate any no-man's land. In the event that the local commanders are unable to reach agreement, the matter shall be referred to the Commission's Military Adviser, whose decision shall be final. After this verification,

the Military Adviser will issue to each High Command a map on which will be marked the definitive cease-fire line.

D. No troops shall be stationed or operate in the area of the Burzil Nullah from south of Minimarg to the cease-fire line. This area is bounded on the west by the ridge leading north-east from Dudgaikal to Point 13071, to Point 9447, to Point 13466, to Point 13463, and on the east by the ridge running from Point 12470 to Point 11608, to Point 13004, to Point 13976, to Point 13450. Pakistan may, however, post troops on the west of the above ridges to cover the approaches to Kamri Bal Pass.

E. In any dispositions that may be adopted in consequence of the present agreement troops will remain at least 500 yards from the cease-fire line except where the Kishanganga River constitutes the line. Points which have been shown as inclusive to one party may be occupied by that party, but the troops of the other party shall remain at a distance of 500 yards.

F. Both sides shall be free to adjust their defensive positions behind the cease-fire line as determined in paragraphs A through E, inclusive, subject to no wire or mines being used when new bunkers and defences are constructed. There shall be no increase of forces or strengthening of defences in areas where no major adjustments are involved by the determination of the cease-fire line.

G. The action permitted by paragraph F above shall not be accompanied or accomplished by the introduction of additional military potential by either side into the State of Jammu and Kashmir.

H. Except as modified by paragraphs A to G, inclusive, above, the military agreements between the two High Commands relating to the cease-fire of 1 January, 1949, shall continue to remain operative.

I. The United Nations Commission for India and Pakistan will station observers where it deems necessary.

J. The delegations shall refer this agreement to their respective Governments for ratification. The documents of ratification shall be deposited with the United Nations Commission for India and Pakistan not later than 31 July 1949.

K. A period of thirty days from the date of ratification shall be allowed to each side to vacate the areas at present occupied by them beyond the cease-fire line as now determined. Before the expiration of this thirty-day period there shall be no forward movement into areas to be taken over by either side pursuant to this agreement, except by mutual agreement between local commanders.

In faith whereof the undersigned sign this document in three original copies.

Done in Karachi on 27 July, 1949.

For the Government of India:

S. M. Shrinagesh

For the Government of Pakistan :

J. Cawthorn
Major-General

For the United Nations Commission for India and Pakistan:

Hernando Samper
M. Delvoie

APPENDIX TWENTY

TEXT OF THE PROCLAMATION ISSUED BY THE HEAD OF JAMMU AND KASHMIR STATE ON 1 MAY 1951

Whereas it is the general desire of the people of the State of Jammu and Kashmir that a Constituent Assembly should be brought into being for the purpose of framing a constitution for the State;

Whereas it is commonly felt that the convening of the Assembly can no longer be delayed without detriment to the future well-being of the State;

And whereas the terms of the proclamation of the Maharaja dated 5 March 1948 in regard to the convening of a national assembly as contained in clauses 4 to 6 of the operative part thereof do not meet the requirements of the present situations;

I, Yuvraj Karan Singh, do hereby direct as follows:

(1) A Constituent Assembly consisting of representatives of the people, elected on the basis of adult franchise, shall be constituted forthwith for the purpose of framing a constitution for the State of Jammu and Kashmir;

(2) For the purpose of the said elections the State shall be divided into a number of territorial constituencies, each containing a population of 40,000 or as near thereto as possible, and each electing one member. A delimitation committee shall be set up by the Government to make recommendations as to the number of constituencies and the limits of each constituency;

(3) Elections to the Constituent Assembly shall be on the basis of adult franchise, that is to say, every person who is a State subject of any class, as defined in the notification No. . ., is not less than twenty-one years of age on the first day of March, has been a resident in the constituency for such period as may be prescribed by the rules, shall be entitled to register in the electoral rolls of that constituency, provided that any person who is of unsound mind or has been so declared by a competent court, shall be disqualified for registration;

(4) The vote at the election shall be [by] direct and secret ballot;

(5) The Constituent Assembly shall have power to act notwithstanding any vacancy of the membership thereof;

(6) The Constituent Assembly shall frame its own agenda and make rules for the governing of its procedure and the conduct of its business;

The Government shall make such rules and issue such instructions and orders as may be necessary to give effect to the terms of this proclamation.

APPENDIX TWENTY-ONE

TEXT OF MEMORANDUM, DATED 14 AUGUST 1951, SUBMITTED BY FOURTEEN MUSLIM LEADERS OF INDIA TO DR. FRANK P. GRAHAM, UNITED NATIONS REPRESENTATIVE

It is a remarkable fact that, while the Security Council and its various agencies have devoted so much time to the study of the Kashmir dispute and made various suggestions for its resolution, none of them has tried to ascertain the views of Indian Muslims nor the possible effect of any hasty step in Kashmir, however well-intentioned, on the interests and well-being of the Indian Muslims. We are convinced that no lasting solution for the problem can be found unless the position of Muslims in Indian society is clearly understood.

Supporters of the idea of Pakistan, before this sub-continent was partitioned, discouraged any attempt to define Pakistan clearly and did little to anticipate the conflicting problems which were bound to arise as a result of the advocacy of the two-nation theory. The concept of Pakistan, therefore, became an emotional slogan with little rational content. It never occurred to the Muslim League or its leaders that if a minority was not prepared to live with a majority on the sub-continent, how could the majority be expected to tolerate the minority.

It is, therefore, small wonder that the result of partition has been disastrous to Muslims. In undivided India, their strength lay about 100 million. Partition split up the Muslim people, confining them to the three isolated regions. Thus, Muslims number 25 million in Western Pakistan, 35 million to 40 million in India, and the rest in Eastern Pakistan. A single undivided community has been broken into three fragments, each faced with its own problems.

Pakistan was not created on a religious basis. If it had been, our fate as well as the fate of other minorities would have been settled at that time. Nor would the division of the sub-continent for reasons of religion have left large minorities in India or Pakistan.

This merely illustrates what we have said above, that the concept of Pakistan was vague, obscure, and never clearly defined, nor its likely consequences foreseen by the Muslim League, even when some of these should have been obvious.

When the partition took place, Muslims in India were left in the lurch by the Muslim League and its leaders. Most of them departed to Pakistan and a few who stayed behind stayed long enough to wind up their affairs and dispose of their property. Those who went over to Pakistan left a large number of relations and friends behind.

Having brought about a division of the country, Pakistan leaders proclaimed that they would convert Pakistan into a land where people would live a life according to the tenets of Islam. This created nervousness and alarm among the minorities living in Pakistan. Not satisfied with this, Pakistan leaders went further and announced again and again their determination to protect and safeguard the interests of Muslims in India. This naturally aroused suspicion amongst the Hindus against us and our loyalty to India was questioned.

Pakistan had made our position weaker by driving out Hindus from Western Pakistan in utter disregard of the consequences of such a policy to us and our welfare. A similar process is in operation in Eastern Pakistan from which Hindus are coming over to India in a larger and larger number.

If Hindus are not welcome in Pakistan, how can we, in all fairness, expect Muslims to be welcomed in India? Such a policy must inevitably, as the past has already shown, result in the uprooting of Muslims in this country and their migration to Pakistan, where, as it became clear last year, they are no longer welcome, lest their influx should destroy Pakistan's economy.

Neither some of those Muslims who did migrate to Pakistan after partition, and following the widespread bloodshed and conflict on both sides of the Indo-Pakistan border in the north-west, have been able to find a happy asylum in what they had been told would be their homeland. Consequently some of them have had to return to India, e.g. Meos who are now being rehabilitated in their former areas.

If we are living honourably in India today, it is certainly not due to Pakistan which, if anything, has by her policy and action weakened our position.

The credit goes to the broadminded leadership of India, to Mahatma Gandhi and Pandit Jawaharlal Nehru, to the traditions of tolerance in this country, and to the Constitution which ensures equal rights to all citizens of India, irrespective of their religion, caste, creed, colour, or sex.

We, therefore, feel that, tragically as Muslims were misled by the Muslim League and subsequently by Pakistan and the unnecessary suffering which we and our Hindu brethren have had to go through in Pakistan and in India since partition, we must be given an opportunity to settle down to a life of

tolerance and understanding to the mutual benefit of Hindus and Muslims in our country—if only Pakistan would let us do it. To us it is a matter of no small consequence.

Despite continuous provocation, first from the Muslim League and since then from Pakistan, the Hindu majority in India has not thrown us or members of other minorities out of Civil Services, Armed Forces, the judiciary, trade, commerce, business, and industry. There are Muslim Ministers in the Union and State Cabinets, Muslim Governors, Muslim Ambassadors, representing India in foreign countries, fully enjoying the confidence of the Indian nation, Muslim members in Parliament and State Legislatures, Muslim judges serving on the Supreme Court and High Courts, high-ranking officers in the Armed Forces and Civil Services, including the police. Muslims have large landed estates, run big business and commercial houses in various parts of the country, notably in Bombay and Calcutta, have their share in industrial production and enterprise in export and import trade. Our famous sacred shrines and places of cultural interest are mostly in India.

Not that our lot is entirely happy. We wish some of the State Governments showed a little greater sympathy to us in the field of education and employment. Nevertheless, we feel we have an honourable place in India. Under the law of the land, our religious and cultural life is protected and we shall share in the opportunities open to all citizens to ensure progress for the people of this country.

It is, therefore, clear that our interest and welfare do not coincide with Pakistan's conception of the welfare and interests of Muslims in Pakistan.

This is clear from Pakistan's attitude towards Kashmir. Pakistan claims Kashmir, first, on the ground of the majority of the State's people being Muslims and, secondly, on the ground, of the State being essential to its economy and defence. To achieve its object it has been threatening to launch "jehad" against Kashmir and India.

It is a strange commentary on political beliefs that the same Muslims of Pakistan who would like the Muslims of Kashmir to join them invaded the State, in October 1947, killing and plundering Muslims in the State and dishonouring Muslim women, all in the interests of what they described as the liberation of Muslims of the State. In its oft-proclaimed anxiety to rescue the 3 million Muslims from what it describes as the tyranny of a handful of Hindus in the State, Pakistan evidently is prepared to sacrifice the interests of 40 million Muslims in India—a strange exhibition of concern for the welfare of fellow-Muslims. Our misguided brothers in Pakistan do not realise that if Muslims in Pakistan can wage a war against Hindus in Kashmir why should not Hindus, sooner or later, retaliate against Muslims in India.

Does Pakistan seriously think that it could give us any help if such an emergency arose or that we would deserve any help, thanks to its own follies? It is incapable of providing room and livelihood to the 40 million Muslims of India, should they migrate to Pakistan. Yet its policy and action, if not changed soon, may well produce the result which it dreads.

We are convinced that India will never attack our interests. First of all, it would be contrary to the spirit animating the political movement in this country. Secondly, it would be opposed to the Constitution and to the sincere leadership of the Prime Minister. Thirdly, India by committing such a folly would be playing straight into the hands of Pakistan.

We wish we were equally convinced of the soundness of Pakistan's policy. So completely oblivious is it of our present problems and of our future that it is willing to sell us into slavery—if only it can secure Kashmir.

It ignores the fact that Muslims in Kashmir may also have a point of view of their own, that there is a democratic movement with a democratic leadership in the State, both inspired by the progress of a broadminded, secular, democratic movement in India and both naturally being in sympathy with India. Otherwise, the Muslim raiders should have been welcomed with open arms by the Muslims of the State when the invasion took place in 1947.

Persistent propaganda about "jehad" is intended, among other things, to inflame religious passions in this country. For it would, of course, be in Pakistan's interests to promote communal rioting in India to show to Kashmiri Muslims how they can find security only in Pakistan. Such a policy, however, can only bring untold misery and suffering to India and Pakistan generally and to Indian Muslims particularly.

Pakistan never tires of asserting that it is determined to protect the interests of Muslims in Kashmir and India. Why does not Pakistan express the same concern for Pathans who are fighting for Pakhtoonistan, an independent homeland of their own? The freedom-loving Pathans under the leadership of Khan Abdul Ghaffar Khan and Dr. Khan Sahib, both nurtured in the traditions of democratic tolerance of the Indian National Congress, are being subjected to political repression of the worst possible kind by their Muslim brethren in power in Pakistan and in the NWFP. Contradictory as Pakistan's policy generally is, it is no surprise to us that while it insists on a fair and impartial plebiscite in Kashmir, it denies a fair and impartial plebiscite to Pathans.

Pakistan's policy in general and her attitude towards Kashmir in particular thus tend to create conditions in this country which in the long run can only bring to us Muslims widespread suffering and destruction. Its policy prevents us from settling down, from being honourable citizens of a State, free from the suspicion of our fellow-countrymen and adapting ourselves to changing conditions to promote the interests and welfare of India. Its sabre-rattling

interferes with its own economy and ours. It expects us to be loyal to it despite its impotence to give us any protection, believing at the same time that we can still claim all the rights of citizenship in a secular democracy.

In the event of a war, it is extremely doubtful whether it will be able to protect the Muslims of East Bengal who are completely cut off from Western Pakistan. Are the Muslims of India and Eastern Pakistan to sacrifice themselves completely to enable the 25 million Muslims in Western Pakistan to embark upon mad, self-destructive adventures?

We should, therefore, like to impress upon you with all the emphasis at our command that Pakistan's policy towards Kashmir is fraught with the gravest peril to the 40 million Muslims of India. If the Security Council is really interested in peace, human brotherhood, and international understanding, it should heed this warning while there is still time.

Dr. Zakir Husain
(Vice-Chancellor, Aligarh University)

Sir Sultan Ahmed
(Former Member of Governor-General's Executive Council)

Sir Mohammed Ahmed Said Khan
(Nawab of Chhatari, former Acting Governor of United Provinces and Prime Minister of Hyderabad)

Sir Mohammed Usman
(Former Member of Governor-General's Executive Council and Acting Governor of Madras and Vice-Chancellor of Madras University)

Sir Iqbal Ahmed
(Former Chief Justice of Allahabad High Court)

Sir Fazal Rahimtoola
(Former Sheriff of Bombay)

Maulana Hafz-ur-Rehman, M.P.
(General-Secretary of Anjuman-i-Jamiat-ul-Ulema)

Colonel B. H. Zaidi, M.P.
(Former Prime Minister of Rampur State)

Nawab Zain Yar Jung
(Minister, Government of Hyderabad)

A. K. Kwaja
(Former President of Muslim Majlis)

T. M. Zarif
(General-Secretary, West Bengal Bohra Community)

H. Quamar Faruqi
(President, Jamiat-ul-Ulema, Hyderabad)

M. A. Kazimi, M.P.
(United Provinces)

Hashim Premji
(Former Sheriff of Bombay)

APPENDIX TWENTY-TWO

TEXT OF SECURITY COUNCIL RESOLUTION OF 4 SEPTEMBER 1965

The Security Council,

Noting the report of the Secretary-General (S/6651) dated September 3 1965,

Having heard the statements of the representatives of India and Pakistan,

Concerned at the deteriorating situation along the cease-fire line in Kashmir,

1. Calls upon the Governments of India and Pakistan to take forthwith all steps for an immediate cease-fire.

2. Calls upon the two Governments to respect the cease-fire line and have all armed personnel of each party withdrawn to its own side of the line.

3. Calls upon the two Governments to co-operate fully with the United Nations Military Observer Group in India and Pakistan in its task of supervising the observance of the cease-fire.

4. Requests the Secretary-General to report to the Council within three days on the implementation of this resolution.

APPENDIX TWENTY-THREE

RESOLUTION 210 (1965) ADOPTED BY THE SECURITY COUNCIL AT ITS 1238th MEETING, ON 6 SEPTEMBER 1965

The Security Council,

Noting the report by the Secretary-General on developments in the situation in Kashmir since the adoption of the Security Council cease-fire resolution on 4 September 1965, [S/RES/209 (1965)] being document S/6661 dated 6 September 1965,

Noting with deep concern the extension of the fighting which adds immeasurably to the seriousness of the situation,

1. Calls upon the parties to cease hostilities in the entire area of conflict immediately, and promptly withdraw all armed personnel back to the positions held by them before 5 August 1965;

2. Requests the Secretary-General to exert every possible effort to give effect to this resolution and the resolution of 4 September 1965, to take all measures possible to strengthen the UNMOGIP, and to keep the Council promptly and currently informed on the implementation of the resolutions and on the situation in the area;

3. Decides to keep this issue under urgent and continuous review so that the Council may determine what further steps may be necessary to secure peace and security in the area.

APPENDIX TWENTY-FOUR

RESOLUTION 211 (1965) ADOPTED BY THE SECURITY COUNCIL AT ITS 1242ND MEETING ON 20 SEPTEMBER 1965

The Security Council,

Having considered the Reports of the Secretary-General on his consultations with the Governments of India and Pakistan,

Commending the Secretary-General for his unrelenting efforts in furtherance of the objectives of the Security Council's resolutions of 4 and 6 September,

Having heard the statements of the representatives of India and Pakistan,

Noting the differing replies by the parties to an appeal for a cease-fire as set out in the Report of the Secretary-General (S/6683), but noting further with concern that no cease-fire has yet come into being,

Convinced that an early cessation of hostilities is essential as a first step towards a peaceful settlement of the outstanding differences between the two countries on Kashmir and other related matters,

1. Demands that a cease-fire should take effect on Wednesday, 22 September, 1965, at 0700 hours GMT and calls upon both Governments to issue orders for a cease-fire at the moment and a subsequent withdrawal of all armed personnel back to the positions held by them before 5 August, 1965;

2. Requests the Secretary-General to provide the necessary assistance to ensure supervision of the cease-fire and withdrawal of all armed personnel;

3. Calls on all States to refrain from any action which might aggravate the situation in the area;

4. Decides to consider as soon as operative paragraph 1 of the Council's resolution 210 of 6 September has been implemented, what steps could be taken to

assist towards a settlement of the political problem underlying the present conflict, and in the meantime calls on the two Governments to utilise all peaceful means, including those listed in Article 33 of the Charter, to this end;

5. Requests the Secretary-General to exert every possible effort to give effect to this resolution, to seek a peaceful solution, and to report to the Security Council thereon.

APPENDIX TWENTY-FIVE

TASHKENT DECLARATION

The Prime Minister of India and the President of Pakistan, having met at Tashkent and having discussed the existing relations between India and Pakistan, hereby declare their firm resolve to restore normal and peaceful relations between their countries and to promote understanding and friendly relations between their peoples. They consider the attainment of these objectives of vital importance for the welfare of the 600 million people of India and Pakistan.

I

The Prime Minister of India and the President of Pakistan agree that both sides will exert all efforts to create good neighbourly relations between India and Pakistan in accordance with the United Nations Charter. They reaffirm their obligation under the Charter not to have recourse to force and to settle their disputes through peaceful means. They considered that the interests of peace in their region and particularly in the Indo-Pakistan sub-continent and, indeed, the interests of the peoples of India and Pakistan were not served by the continuance of tension between the two countries. It was against this background that Jammu and Kashmir was discussed, and each of the sides set forth its respective position.

II

The Prime Minister of India and the President of Pakistan have agreed that all armed personnel of the two countries shall be withdrawn not later than 25 February, 1966, to the positions they held prior to 5 August, 1965, and both sides shall observe the cease-fire terms on the cease-fire line.

III

The Prime Minister of India and the President of Pakistan have agreed that relations between India and Pakistan shall be based on the principle of non-interference in the internal affairs of each other.

IV

The Prime Minister of India and the President of Pakistan have agreed that both sides will discourage any propaganda directed against the other

country, and will encourage propaganda which promotes the development of friendly relations between the two countries.

V

The Prime Minister of India and the President of Pakistan have agreed that the High Commissioner of India to Pakistan and the High Commissioner of Pakistan to India will return to their posts and that the normal functioning of diplomatic missions of both countries will be restored. Both Governments shall observe the Vienna Convention of 1961 on Diplomatic Intercourse.

VI

The Prime Minister of India and the President of Pakistan have agreed to consider measures towards the restoration of economic and trade relations, communications, as well as cultural exchanges between India and Pakistan, and to take measures to implement the existing agreements between India and Pakistan.

VII

The Prime Minister of India and the President of Pakistan have agreed that they will give instructions to their respective authorities to carry out the repatriation of the prisoners of war.

VIII

The Prime Minister of India and the President of Pakistan have agreed that the two sides will continue the discussions of questions relating to the problems of refugees and evictions/illegal immigrations. They also agreed that both sides will create conditions which will prevent the exodus of people. They further agree to discuss the return of the property and assets taken over by either side in connection with the conflict.

IX

The Prime Minister of India and the President of Pakistan have agreed that the two sides will continue meetings both at the highest and at other levels on matters of direct concern to both countries. Both sides have recognised the need to set up joint Indian-Pakistani bodies which will report to their Governments in order to decide what further steps should be taken.

The Prime Minister of India and the President of Pakistan record their feelings of deep appreciation and gratitude to the leaders of the Soviet Union, the Soviet Government, and personally to the Chairman of the Council of Ministers of the USSR for their constructive, friendly and noble part in bringing about the present meeting which has resulted in mutually satisfactory results. They also express to the Government and friendly people of Uzbekistan their sincere thankfulness for their overwhelming reception and generous hospitality.

They invite the Chairman of the Council of Ministers of the USSR to witness this Declaration.

Prime Minister of India
Lal Bahadur Shastri

President of Pakistan
Mohammed Ayub Khan

Tashkent, 10 January 1966

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ISBN 978-81-7229-666-7

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